

CASE 3321: MOTION OF THE OCC.
PLUGGING CASE - WILLARD C. FRANKS
COLFAX COUNTY.

CASE NO.
3321

Application,
TRANSCRIPTS,
SMALL Exhibits
ETC.

Page 3321
Willard C. Franks

OIL - GEOLOGY
BOX 163 - PHONE 656-2160
BRIGGSDALE, COLORADO

March 26, 1964

MAIN OFFICE OCC

1964 MAR 28 PM 1:55

New Mexico Oil Conservation Commission
Santa Fe, New Mexico

Att. Mr. Kapetina

Dear Mr. Kapetina:

Enclosed herewith are miscellaneous reports Form-103 covering the LaRoe No. 1 well, Colfax County, New Mexico.

Standard tool drilling on this well for a depth of approximately 450' has been slow but I have proceeded with care drilling with one crew on a daylight basis so that I could be on the well at all times. I have expected a heavy head of gas at such time that we penetrate the Dakota SS and from the amount of gas that has been showing from bottom of hole for the past 440' and the distillate-cut mud I am confident of a producing well.

Due to the heavy vibration from drilling the caprock of the Dakota the Bentonite section that carried a rotten shale section has been caving until it reached a point threatening the well with a possible cavein at any time so I decided it best to bring in a rotary rig to mud the hole and core the Dakota SS on which we were sitting at the time I decided to play safe. This caprock is the hardest I ever drilled.

You may assume that the first strata of the Dakota was encountered at 1720' but the main caprock was not encountered until 1750' or approximately so. The final log will make the proper correction if our measurements by rope are slightly off.

I appreciate your patience with me and I am happy that I have managed to hold on despite the extra expense. I did not mind mortgaging our ranch to continue. I will have a very fine well there and on the structure a few miles to the south.

Yours very truly,

Willard C. Franks

P. S. I have a tight cap on the well to protect it.

Enc. 3

BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE HEARING CALLED BY THE OIL CONSERVATION COMMISSION ON ITS OWN MOTION TO PERMIT WILLARD C. FRANKS AND ALL OTHER INTERESTED PARTIES TO SHOW CAUSE WHY THE LAROE WELL No. 1 LOCATED IN THE SE/4 NW/4 OF SECTION 19, TOWNSHIP 27 NORTH, RANGE 22 EAST, NMPM, COLFAX COUNTY, NEW MEXICO, SHOULD NOT BE PLUGGED IN ACCORDANCE WITH A COMMISSION-APPROVED PLUGGING PROGRAM.

CASE No. 3321
Order No. R-2991

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 o'clock a.m. on October 19, 1965, at Santa Fe, New Mexico, before Examiner Daniel S. Mutter.

NOW, on this 29th day of October, 1965, the Commission, a quorum being present, having considered the testimony, the record, and the recommendations of the Examiner, 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 Willard C. Franks is the owner and operator of the Laroe Well No. 1 located in the SE/4 NW/4 of Section 19, Township 27 North, Range 22 East, NMPM, Colfax County, New Mexico.

(3) That the subject well has been abandoned and is causing or will cause waste.

(4) That if the subject well is not completed as a producing well by November 15, 1965, the well should be plugged by November 30, 1965, in a manner that will confine permanently all oil, gas, and water in the separate strata originally containing them in order to prevent waste and protect correlative rights.

-2-

CASE No. 3321

Order No. R-2991

IT IS THEREFORE ORDERED:

(1) That if the LaRoe Well No. 1 located in the SE/4 NW/4 of Section 19, Township 27 North, Range 22 East, MMPM, Colfax County, New Mexico, is not completed as a producing well by November 15, 1965, Willard C. Franks is hereby ordered to plug said well in accordance with a plugging program approved by the District Supervisor, District 4, Oil Conservation Commission, Santa Fe, New Mexico.

(2) That if the subject well is not completed as a producing well by November 15, 1965, Willard C. Franks shall complete plugging operations on or before November 30, 1965, and shall notify the District Supervisor, District 4, Oil Conservation Commission, Santa Fe, New Mexico, of the exact date and time plugging operations are to commence.

(3) That jurisdiction of this cause is retained for the entry of such further orders as the Commission may deem necessary.

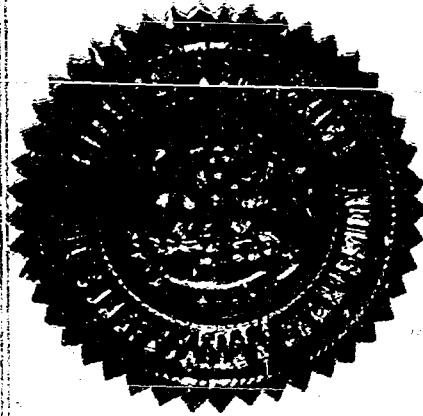
DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

Jack M. Campbell
JACK M. CAMPBELL, Chairman

Guyton B. Hays
GUYTON B. HAYS, Member

A. L. Porter, Jr.
A. L. PORTER, Jr., Member & Secretary



esr/

DRAFT

JMD/esr

Oct. 28, 1965

BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

CF Subj. _____

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

CASE No. 3321

Order No. R-2991

IN THE MATTER OF THE HEARING CALLED BY THE OIL CONSERVATION COMMISSION ON ITS OWN MOTION TO PERMIT WILLARD C. FRANKS AND ALL OTHER INTERESTED PARTIES TO SHOW CAUSE WHY THE LaROE WELL NO. 1 LOCATED IN THE SE/4 NW/4 OF SECTION 19, TOWNSHIP 27 NORTH, RANGE 22 EAST, NMPM, COLFAX COUNTY, NEW MEXICO, SHOULD NOT BE PLUGGED IN ACCORDANCE WITH A COMMISSION-APPROVED PLUGGING PROGRAM.

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(3) That the subject well has been abandoned and is causing or will cause waste.

(4) That if the subject well is not completed as a producing well by November 15, 1965, the well should be plugged by November 30, 1965, in a manner that will confine permanently all oil, gas, and water in the separate strata originally containing them in order to prevent waste and protect correlative rights.

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(3) That jurisdiction of this cause is retained for the entry of such further orders as the Commission may deem necessary.

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

call 10/19 James Doyle in DENVER
have contracted to move on steel in 10 days

Give Lee Nov 15 to Compl as prod
or to P & A by Nov 30.

3-28-63 C-101 filed approved 4-5-63
well spudded on or around 5-14

60' surf csg set some day

drly proceeded to 260 - rig trouble

after corrected, went on to about 1400'
on or about 7/10 and then

changed rigs then drld to 1710'
drly stopped again ~~at~~ 3/28/64

next report 1750

obtained another rig in Sept 64
proceeded to reach 1295 to 1755'
released rig.

no further reports after 9-64

fld trip in Oct 64 no rig

5-10 wrote to Frank

called upon him to resume ops
on P & H.

fld trip in Sept 65 landowner
informed J&K rig had been on
well in August.

last drly reported in Sept 64

60' surf csg well in approx 1800' deep.

DOCKET: EXAMINER HEARING - TUESDAY - OCTOBER 19, 1965

9 A.M. - OIL CONSERVATION COMMISSION CONFERENCE ROOM,
STATE LAND OFFICE BUILDING, SANTA FE, NEW MEXICO

The following cases will be heard before Daniel S. Nutter, Examiner, or
Elvis A. Utz, Alternate Examiner:

- CASE 3321: In the matter of the hearing called by the Oil Conservation Commission on its own motion to permit Willard C. Franks and all other interested parties to show cause why the LaRoe Well No. 1 located in the SE/4 NW/4 of Section 19, Township 27 North, Range 22 East, Colfax County, New Mexico, should not be plugged in accordance with a Commission-approved plugging program.
- CASE 3322: Application of Ann Burnett Windfohr, George R. Brown, and Allied Chemical Corporation for a waterflood project, Eddy County, New Mexico. Applicants, in the above-styled cause, seek authority to institute a waterflood project in the Grayburg Jackson Pool, Eddy County, New Mexico, by the injection of water into the Grayburg formation through three wells in Section 25, Township 17 South, Range 30 East.
- CASE 3323: Application of David Fasken for a dual completion, Lea County, New Mexico. Applicant, in the above-styled cause, seeks approval of the dual completion (conventional) of his Felmont-Collier Well No. 1 located in Unit H of Section 9, Township 11 South, Range 33 East, Lea County, New Mexico, to produce oil from the North Bagley Upper and Lower Pennsylvanian Pools through parallel strings of tubing.
- CASE 3324: Application of Newmont Oil Company for an unorthodox location, Eddy County, New Mexico. Applicant, in the above-styled cause, seeks authority to drill a producing oil well at an unorthodox location 990 feet from the South line and 1310 feet from the West line of Section 2, Township 18 South, Range 29 East, Loco Hills Pool, Eddy County, New Mexico.
- CASE 3325: Application of Continental Oil Company for a non-standard gas proration unit, Lea County, New Mexico. Applicant, in the above-styled cause, seeks approval of a 320-acre non-standard gas proration unit comprising the N/2 of Section 1, Township 24 South, Range 36 East, Jalmat Gas Pool, Lea County, New Mexico, to be dedicated to its Vaughan B-1 Well No. 1, located in Unit H of said Section 1.
- CASE 3326: Application of Continental Oil Company for a non-standard gas proration unit, Lea County, New Mexico. Applicant, in the above-styled cause, seeks approval of a 560-acre non-standard gas proration unit comprising the E/2 SE/4 of Section 22, the W/2 of Section 26, and the E/2 E/2 of Section 27, Township 20 South, Range 37 East, Eumont Gas Pool, Lea County, New Mexico, to be dedicated to its SEMU Well No. 65, located 2363 feet from the South line and 0 feet from the West line of said Section 26.

Willard C. Franks
GEOLOGY - OIL OPERATOR
BOX 144
BRIGGSDALE, COLO.

19 July 1965

MAIN OFFICE

65 JUL 23 AM

Call 332/

Oil Conservation Commission
Santa Fe, New Mexico

Dear Sirs:

Re: LaRoe No. 1
SE NW 19, T 27 N R 22 E
Colfax County, New Mexico

I have been endeavoring to acquire a rig to finish the subject well since I moved the last rig out after it had failed to meet the requirements but costing me another \$900.00 fruitlessly.

It seems that the government is defraying a large portion of the water well drilling costs throughout our country and so many are taking advantage of this form of future-wrecking dole that rigs of the proper size to make it economical to move to our location are difficult to come by.

I have lost so much money on this well so far that I am short of money but I feel that the well will be worth the effort in time and expense to prove the area. This is the fifth well that I am responsible for in the Mora-Colfax counties area but I have never lost faith.

I am leaving tomorrow for Farmington and Durango in search of a rig while I would buy one if I were able to do so in order to finish this long, drawn-out LaRoe operation. It certainly has not been to my advantage or liking that contractors haven't been as reliable as they might have been, and that rigs have to move so far to accommodate this area.

Yours very truly,

Willard C. Franks

POST OFFICE DEPARTMENT OFFICIAL BUSINESS		PENALTY FOR NON-PAID MAIL TO AVOID PAY POSTAGE OR RETURN TO POST OFFICE	
Mr. Willard C. Franks P. O. Box 144 Briggsdale, Colorado		BRIGGSDALE CO AUG 14 1965 P.M.	
INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.			
REGISTERED NO.	NAME OF SENDER		
	OIL CONSERVATION COMMISSION		
CERTIFIED NO.	STREET AND NO. OR P. O. BOX		
859781	P. O. Box 2088 JMD		
INSURED NO.	CITY, ZONE AND STATE		
	Santa Fe, New Mexico		
Letter 8-12-65			

No. 859781	RECEIPT FOR CERTIFIED MAIL—20¢	
	SENT TO Mr. Willard C. Franks	
	STREET AND NO. P. O. Box 144	
	CITY AND STATE Briggsdale, Colorado	
	POSTMARK OR DATE 8-12-65	
If you want a return receipt, check which		
<input type="checkbox"/> 10¢ shows to whom and when delivered	<input type="checkbox"/> 35¢ shows to whom, when, and address where delivered	If you want restricted delivery, check here <input type="checkbox"/> 50¢ fee
FEE ADDITIONAL TO 20¢ FEE		
POD Form 3800 Apr 1960		
SEE OTHER SIDE LETTER - 8-12-65 (LaRoe Well No.1)		

OIL CONSERVATION COMMISSION
P. O. BOX 2088
SANTA FE, NEW MEXICO

Ca 3321

August 12, 1965

C
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Y

CERTIFIED - RETURN
RECEIPT REQUESTED

Mr. Willard C. Franks
P. O. Box 144
Briggsdale, Colorado

Dear Mr. Franks:

We have your letter of July 29, 1965, concerning your LaRoe Well No. 1 located in the SE/4 NW/4 of Section 19, Township 27 North, Range 22 East, NMPM, Colfax County, New Mexico.

If this well is not properly plugged or placed on production by September 15, 1965, the Commission will docket a case to require the well to be plugged in accordance with the Commission Rules and Regulations.

Very truly yours,

J. M. DURRETT, Jr.
Special Assistant
Attorney General

JMD/ear

MAIN OFFICE 10000

'65 AUG 2 AM 7

Willard C. Franks
GEOLOGY - OIL OPERATOR
BOX 144
BRIGGSDALE, COLO.
July 29, 1965

Case 2321

Oil Conservation Commission
Santa Fe, New Mexico

Dear Sirs:

Re: LaRoe No. 1 well
SENG 19, R27N Twp. 22 E
New Mexico P. M.
Colfax County, N. M.

I have been looking for a rig for the past 30 days from Farmington, N. M., to Liberal, Kansas, Springfield, Colorado and Stinnet, Texas, and have people at Farmington, N. M. and Grants, N. M., ready to notify me of the first rig available to finish this LaRoe well which you have told me must be plugged immediately.

If the bonding company is ordered to plug it I shall have to pay for it anyhow and I have already lost more than \$14,000.00 and a great deal of time on this well. I have been disappointed more than any other in drilling contractors who have failed me. Being so anxious to get the job done I have tolerated inexperience when I shouldn't have. This well must be handled with caution and care when the main body of sand is penetrated and which lies not more than 10 feet below the present depth.

I am leaving again tomorrow in search of a rig that can be made available immediately either to plug or finish that well. The decision is yours but I realize that if I fail in this effort then Colfax County will be dead for a long, long time unless the ex-governor of New Mexico takes over for me. He has faith in the Raton Basin as I have or I wouldn't have been instrumental in getting 5 wells drilled in Mora and Colfax Counties.

Money is hard to come by for work in the Raton Basin which is the reason that my wife and I have born the brunt of this loss but we have never been discouraged nor have we lost faith.

Yours very truly,

Willard C. Franks

*plugging cane
file*

Willard C. Frank
GEOLOGY - OIL OPERATIONS
BOX 144
BRIGGS DALE, COLO.
August 11, 1965

561
AUG 7 20

Chc 3321

Oil Conservation Commission
Santa Fe, New Mexico

Dear Sirs:

Re: LaRoe No. 1 well
SENW- S19 T 27 N R 22 E NMPM
Colfax County, N. M.

In Farmington, N. M., I have a mud and chemical company on the alert for the first rig available to complete the LaRoe well. Also, I have rigs in view in Texas, Liberal, Kansas and Lamar, Colorado but the heavy schedule of water well drilling in all areas is keeping so many rigs tied down.

It seems that the government is defraying from 50 - 70% of the cost of water well drilling and very few ranchers and farmers are of the type to refrain from loading their responsibilities on the shoulders of the generations to come by accepting the Washington pink-town dole.

I have been home a week to take care of our own ranch harvest and ward off another attack of rheumatic fever but I am going out again to search for a rig just as quickly as these fever pains subside which should be within the next three days.

Finishing the LaRoe well is first on my agenda and the most important and I will get it done with the very first rig that can be found and is capable of handling that job.

Yours very truly,

Willard C. Frank

*Plugging Case
file*

Willard C. Franks
GEOLOGY - OIL OPERATOR
BOX 144
BRIGGSDALE, COLO.
Sept. 13, 1965

MAIN OFFICE
'65 SEP 16 AM 2

*Case
3321*

Oil Conservation Commission
Santa Fe, New Mexico

Dear Sirs:

Re: LaRoe No. 1 Well
SE NW S 19 T 27 R 22 E NMPM
Colfax County, New Mexico

I have just returned from Texas in search of a rig to do the work suggested by you regarding the completion or plugging of the subject well.

I found a rig at Texline, Texas that is being prepared for service and am to have a report from the contractor Wednesday. Also, another contractor is to report tomorrow night from Denver.

I have searched at Farmington, N. M., Durango, Colorado, Borger, Texas, Pampa, Texas and Roswell, N. M. for a rig to do this work but they are reluctant to move so far for so little work which was my reason for setting up the second well on the LaRoe lease to be drilled following the completion of the first, this as an inducement to get a rig to move in.

However, I shall have one of the rigs mentioned above or we are preparing to buy a rig of our own and be free of this trouble as much as I dislike entering the drilling end of development; but it may be the better way out.

I have not ceased looking for a rig and am more anxious than any to get this LaRoe well finished. I think it will be a producer without a doubt or I would have given it up more than a year ago.

As the matter stands I shall have one of the two rigs mentioned move on or buy a rig and finish that work to your satisfaction, plugging or otherwise.

Yours very truly,

Willard C. Franks

*file
plugging case
rocket case*

Willard C. Franks
GEOLOGY - OIL OPERATOR
BOX 144
BRIGGSDALE, COLO.

MAIN

SEP 21 PM 1 1965

Clear 3324

Sept. 17, 1965

Oil Conservation Commission
Santa Fe, New Mexico

Dear Sirs:

Re: LaRoe No. 1 Well

SE NW 5 19 T 27 N R 22 E NMPM
Colfax County, N. M.

The James Drilling Company has agreed to move to the LaRoe No. 1 location to do whatever is necessary to finalize that well.

Mr. Keaton of the James Drilling Company will call you directly that you may know fully regarding our agreement and the approximate date that he can move to location.

I am just as anxious as you people are to finish that well one way or the other. I think it will be a well.

Yours very truly,

Willard C. Franks

Plugging Case
file

Willard C. Franks
GEOLOGY - OIL OPERATOR
BOX 144
BRIGGSDALE, COLO.

Sept. 29, 1965

MAIN
65 OCT 1 AM 9

Oil Conservation Commission
Santa Fe, New Mexico

Dear Sirs:

Re: Plugging Bong
NWSW S19 T 27 N R 22 E
Colfax County, N. M.

Should the LaRoe No. 1 in the same section as the captioned well be a producer after the James Drilling Company finishes it for me, I plan to drill east of the LaRoe No. 1, SE1/4 of Section 19 in order to protect the rights of the mineral owner. So would appreciate your cancellation of the plugging bond which is in effect on the NWSE of Section 19.

You withheld permission to drill this well pending the completion of the LaRoe No. 1 and due to the change in the mineral status of the NE/4 of Sec. 19 we plan to drill this instead should you permit us to continue after completion of the LaRoe No. 1.

Yours very truly,

Willard C. Franks

No. 859791

RECEIPT FOR CERTIFIED MAIL—20¢

SENT TO Mr. Willard C. Franks	POSTMARK OR DATE 10-8-65
STREET AND NO. P. O. Box 144	
CITY AND STATE Briggsdale, Colorado	
<input type="checkbox"/> If you want a return receipt, check which <input type="checkbox"/> 10¢ shows to whom and when delivered <input type="checkbox"/> 35¢ shows to whom, when, and address where delivered <input type="checkbox"/> If you want restricted delivery, check here <input type="checkbox"/> 50¢ fee	
FEE ADDITIONAL TO 20¢ PER SEE OTHER SIDE Letter 10-8-65, Case 3321	

POD Form 3800
Apr 1960

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

Mr. Willard C. Franks
P. O. Box 144
Briggsdale, Colorado

INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moistened gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.

REGISTERED NO. 859791	NAME OF SENDER OIL CONSERVATION COMMISSION
CERTIFIED NO. 859791	STREET AND NO. OR P. O. BOX P. O. BOX 2088
INSURED NO.	CITY, ZONE AND STATE SANTA FE, NEW MEXICO

Letter 10-8-65, Case 3321

BRIGGSDALE COLO
OCT 11 1965
P.M.

CSO-18-71840-6

OIL CONSERVATION COMMISSION

P. O. BOX 2083
SANTA FE, NEW MEXICO

LEGAL DIVISION
PHONE 827-2741

October 8, 1965

CERTIFIED -- RETURN
RECEIPT REQUESTED

Mr. Willard C. Franks
P. O. Box 144
Briggsdale, Colorado

Dear Mr. Franks:

I am enclosing a copy of the docket of the Examiner Hearing that will be held on Tuesday, October 19, 1965, at 9 a.m., in the Oil Conservation Commission Conference Room, State Land Office Building, Santa Fe, New Mexico. Case No. 3321 concerns your LaRoe Well No. 1 located in the SE/4 NW/4 of Section 19, Township 27 North, Range 22 East, NMPM, Colfax County, New Mexico.

Very truly yours,

J. M. DURRETT, Jr.
Special Assistant
Attorney General

JMD/esr
Enclosure

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver *ONLY* to addressee ☐ Show address where delivered
(Additional charges required for these services)

RETURN RECEIPT
Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)
AETNA LIFE INS. CO.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
[Signature]

DATE DELIVERED
OCT 12 1965

ADDRESS WHERE DELIVERED (only if requested in item #1)

CSG-16-71548-4 GPO

No. 859792

RECEIPT FOR CERTIFIED MAIL—20¢

SENT TO
The Aetna Casualty and Surety Company

STREET AND NO.
151 Farmington Avenue

CITY AND STATE
Hartford, Connecticut

POSTMARK OR DATE
10-8-65

If you want a return receipt, check which:
☐ 10¢ allows to whom and when delivered ☐ 33¢ shows to whom, when, and address where delivered ☐ 50¢ fee

FEES ADDITIONAL TO 20¢ FEE

PUD Form 3900
Apr 1962

SEE OTHER SIDE
Letter 10-8-65, Case 3321

OIL CONSERVATION COMMISSION

P. O. ~~BOX 2003~~ BOX 2003
SANTA FE, NEW MEXICO

LEGAL DIVISION
PHONE 827-2741

October 8, 1965

CERTIFIED - RETURN
RECEIPT REQUESTED

C
O
P
Y

The Aetna Casualty and Surety Company
151 Farmington Avenue
Hartford, Connecticut

Attention: Surety Claim Department

Re: The Aetna Casualty and Surety Company \$5,000 One-Well
Plugging Bond - Willard C. Franks, Principal, LaRoe
Well No. 1, SE/4 NW/4 of Section 19, Township 27 North,
Range 22 East, NMPM, Colfax County, New Mexico

Gentlemen:

I am enclosing a copy of the docket of the Examiner Hearing
that will be held on Tuesday, October 19, 1965, at 9 a.m., in the
Oil Conservation Commission Conference Room, State Land Office
Building, Santa Fe, New Mexico. Case No. 3321 concerns The Aetna
Casualty and Surety Company \$5,000 One-Well Plugging Bond on file
with the Commission.

Very truly yours,

J. M. DURRETT, Jr.
Special Assistant
Attorney General

JMD/esr
Enclosure

cc: Mr. Willard C. Franks
P. O. Box 144
Briggsdale, Colorado

The Aetna Casualty and Surety Company
510 Myrick Building
Lubbock, Texas
Attention: Surety Claim Department

Mr. Paul Billingham
Resident Agent
The Aetna Casualty and
Surety Company
2929 Monte Vista Blvd., N.E.
Albuquerque, New Mexico

OIL CONSERVATION COMMISSION

P. O. BOX 2933

SANTA FE, NEW MEXICO

LEGAL DIVISION

PHONE 827-2741

October 14, 1965

VIA AIR MAIL

C
O
P
Y

Mr. Raymond D. Burt
Manager
V & W Bookkeeping & Tax Service
Sixth and I Street
Anchorage, Alaska

Dear Mr. Burt:

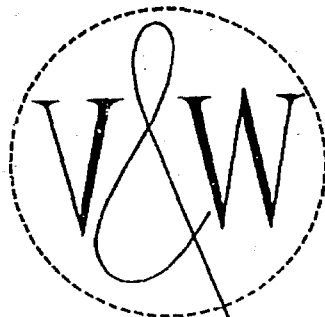
We have your letter of October 5, 1965, requesting a notice of approval of abandonment concerning the Willard C. Franks LaRoe Well No. 1 located in the SE/4 NW/4 of Section 19, Township 27 North, Range 22 East, NMPM, Colfax County, New Mexico.

The Commission has not approved the abandonment of this well. We have docketed a plugging case on our October 19, 1965, Examiner Hearing Docket to permit Willard C. Franks and all other interested parties to show cause why this well should not be plugged in accordance with a Commission-approved plugging program. I am enclosing a copy of the October 19th docket. I am also enclosing a copy of the last official report the Commission has received concerning this well. This is a Notice of Intention to Drill Deeper which was received by the Commission on June 24, 1965.

Very truly yours,

J. M. DURRETT, Jr.
Special Assistant
Attorney General

JMD/esr
Enclosures



MAIN OFFICE

'65 OCT 7 PH 1 00

BOOKKEEPING & TAX SERVICE

SIXTH AND I STREET

ANCHORAGE, ALASKA

PHONE BR 2-2074

October 5, 1965

Mr. A. L. Porter, Jr.
New Mexico Oil & Gas Conservation Commission
Box 2088
Sante Fe, New Mexico 87501

Dear Sir:

Our client, Mr. James O. Green, is under audit by the Internal Revenue Service. One of the items of proof needed is a "dry hole"*certificate for a well drilled in 1963. The facts are as follows:

Oil well drilled in May 1963
Location: SW Sec. 19, Tp 27 N.R. 22E
Colfax County, New Mexico

Title: Franks-La Roc #1
Objective: The Dakota Sand
Estimated Depth: 1250 ft.
Outcome: Dry hole

Any help you could give to establish the above facts would be most appreciated.

Sincerely,

V & W BOOKKEEPING & TAX SERVICE

Raymond D. Burt
Raymond D. Burt
Manager

RDB/sv

*notice of approval of abandonment

Willard C. Franks
GEOLOGIST - OIL PRODUCER
BOX 163 - PHONE 21 F 3
BRIGGSDALE, COLORADO

October 14, 1965

265 OCT 18 PM

Mr. Daniel Nutter, Examiner
Oil Conservation Commission Conference Room
State Land Office Building
Santa Fe, New Mexico

Dear Sir:

RE; Case No. 3321
Legal Division
Oil Conservation Comm.
Santa Fe, New Mexico

Enclosed is a copy of a letter under same date addressed to the Legal Division of the Oil Conservation Commission, Box 2088, Santa Fe, New Mexico, which is self-explanatory.

It is and has always been my desire to complete the LaRoe No. 1 well in question and have never had any trouble at all with the LaRoe family as owners of the land on which this well is located, as they have been familiar with the circumstances in which I have worked in my efforts to make a producing well of this one.

Perhaps I have caused the Conservation Commission some inconvenience regarding this but a producing well to me is well worth all of the inconvenience and delays I have encountered in this undertaking and if a field can be opened in the Raton Basin which the majors have never been able to do, which is understandable when one considers the negative geology on which they have drilled, the inconvenience will be well worth while to all who have the interest of the state at heart.

I hope I may have the privilege of completing this well which will be done as quickly as a rig can be under contract and moved to this location. If the well is a failure then I shall plug as per instructions from the Conservation Commission.

Yours very truly,

Willard C. Franks

Enc.

With God there is no defeat; without Him there is no victory.

*Plugging Case
file*

Willard C. Franks
GEOLOGIST - OIL PRODUCER
BOX 163 - PHONE 21 F 3
BRIGGSDALE, COLORADO

October 14, 1965

MAIN OFFICE
OCT 18 PM 4
'65

Mr. J. M. Durrett, Jr.
Special Assistant
Attorney General
P. O. Box 2088
Santa Fe, New Mexico

RE: Case No. 3321

Dear Sir:

It is true that I have been working on the LaRoe No. 1 well which is the subject of the case, for two years and a half, having had four rigs on the well and I have held on regardless of the trouble and expense because I definitely feel that this well will be a producer.

This has caused the Conservation Commission some inconvenience as I have also suffered inconvenience as well as heavy expense in reaching the place now at the very top of my objective formation which is showing gas.

Never at any time have I been discouraged nor have I complained a great deal when a driller proved to be inefficient and wholly unable to cope with a heavy head of gas which I am anticipating when we break through the main cap rock of the formation which I believe will be the one to produce, hence I have not hesitated to let them go. A gas well out of control would cause far more inconvenience to the state and all concerned then I suffered by letting these drillers go.

This being rather isolated it is most difficult to get a rig to move to location and I have taken contractors at their word while permitting sympathy to sway me on two occasions.

I have just recently arranged for a driller, to move to this location to complete the work which may require not more than 10' to break into the main sand body; and this driller called the Conservation Commission at my request to inform the Commission that he was to move to my location just as quickly as he finished the well that he was drilling. This has been finished so he has informed me and he is now making some repairs on his rig prior to moving to location.

James Drilling Co. owner

With God there is no defeat; without Him there is no victory.

I have done all that I can to get this well completed and have spent no little money to reach this objective. I am still confident that I will have an oil well or I would have plugged and abandoned the well long ago. If I quit that Basin it will be finished for I have been instrumental in getting four wells drilled prior to the present one and each well supported my faith in oil production in the Raton Basin or I would not have undertaken the present development.

The landowners, Sam and Dale Evans LaRoe, are familiar with the difficulties I have met with on that well and never once have they complained about the long drawn out procedure. The well has no water to become contaminated and I am high on structure with a rig under commitment to move to the location and finish drilling into the Dakota sandstone, which, if non-productive, will be followed by plugging as per instruction of the Conservation Commission. It will be necessary to move a rig to location for plugging, anyhow, and if this well is plugged without the additional few feet of drilling that will be necessary an oil field in the Raton Basin may have been passed up. Everything is to be gained and absolutely nothing lost if I am permitted to proceed as I wish to and the Conservation Commission has been advised what I would do.

I haven't been sleeping in my car for many nights at a time in order to save hotel expense that the money might be used in this work. It hasn't been pleasant for anyone, but the loss and worry have been mine. Had I been indifferent to the danger posed by a heavy head of gas there I might have gotten the hole down with the last rotary that was on the well. \$14,500.00 on this 1800' hole may seem ridiculous but it has cost this because of incompetent contractors and their misrepresentation regarding their ability and rig but so it has been.

I still think that there is oil in the Raton Basin and the majors have come and gone leaving this to some independent who will not give up until he has the answer. I feel certain that I shall have a producing well and in the event that this well is dry I will assure the State of New Mexico that I will not bother it again but if this well is a producer there will be not less than 25 wells on this small structure and many more on other structures that we have shot out.

Yours very truly,

Richard D. Lumber

CC - Mr. Paul Billingham, The Aetna Casualty & Surety Co.
Governor Jack M. Campbell, Chairman Oil Conservation Comm.
Daniel S. Mutter, Examiner

No. 859793

RECEIPT FOR CERTIFIED MAIL—20¢

SENT TO Mr. Willard C. Franks		POSTMARK OR DATE 10-29-65
STREET AND NO. P. O. Box 163		
CITY AND STATE Briggsdale, Colorado		
If you want a return receipt, check which <input type="checkbox"/> 10¢ shows to whom and when delivered <input type="checkbox"/> 33¢ shows to whom, when, and address where delivered <input type="checkbox"/> If you want restricted delivery, check here <input type="checkbox"/> 50¢ fee		
FEE ADDITIONAL TO 20¢ FEE POD Form 3830 Letter 10-29-65, Order R-2991 SEE OTHER SIDE		

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver ONLY to addressee ☐ Show address where delivered (Additional charges required for these services)

RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)
Willard C. Franks

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
Marion Franks

DATE DELIVERED
11-1-65

SHOW WHERE DELIVERED (only if requested)

CSS-16-71548-5-7 GPO

OIL CONSERVATION COMMISSION

P. O. BOX 2088

SANTA FE, NEW MEXICO

LEGAL DIVISION
PHONE 827-2741

October 29, 1965

VIA AIR MAIL
CERTIFIED - RETURN
RECEIPT REQUESTED

Mr. Willard C. Franks
P. O. Box 163
Briggsdale, Colorado

Re: Case No. 3321
Order No. R-2991

Dear Mr. Franks:

I am enclosing a certified copy of the above order which concerns your LaRoe Well No. 1.

Please note that the Commission order requires that the well be completed as a producing well by November 15, 1965, or plugged on or before November 30, 1965.

Very truly yours,

J. M. DURRETT, Jr.
Special Assistant
Attorney General

JMD/esr
Enclosure

cc: Mr. J. E. Kapteina
District Supervisor, District 4
Oil Conservation Commission
P. O. Box 2088
Santa Fe, New Mexico

C
O
P
Y

No. 859794

RECEIPT FOR CERTIFIED MAIL—20¢

The Aetna Casualty and Surety Company
Aetna Building, 300 East Ninth Avenue
Attention: Mr. Bert Merrill, Manager

CITY AND STATE
Denver, Colorado

If you want a return receipt, check which:
☐ 10¢ shows to whom and when delivered
☐ 35¢ shows to whom, when, and address where delivered
☐ If you want restricted delivery, check here 50¢ fee

10-29-65


FEE ADDITIONAL TO 20¢ FEE
Letter 10-29-65, Order R-2991


POD Form 3800
Apr 1960

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver ONLY to addressee ☐ Show address where delivered
(Additional charges required for these services)

RECEIPT
Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)


SIGNATURE OF ADDRESSEE'S AGENT, IF ANY


DATE DELIVERED **NOV 1 1965** SHOW WHERE DELIVERED (only if requested)

CSS-16-71548-5-F GPO

OIL CONSERVATION COMMISSION

P. O. ~~Box 2088~~ BOX 2088
SANTA FE, NEW MEXICO

LEGAL DIVISION
PHONE 827-2741

October 29, 1965

VIA AIR MAIL
CERTIFIED - RETURN
RECEIPT REQUESTED

The Aetna Casualty and Surety Company
Aetna Building
300 East Ninth Avenue
Denver, Colorado

Attention: Mr. Bert Merrill, Manager

Re: Case No. 3321, Order No. R-2991
Bond: \$5,000 One-Well Plugging Bond
Principal: Willard C. Franks
Surety: The Aetna Casualty and
Surety Company
Obligee: State of New Mexico

Gentlemen:

I am enclosing a certified copy of the above order.
Please note that this order requires that the LaRoe Well
No. 1 be completed as a producing well by November 15,
1965, or plugged on or before November 30, 1965.

Very truly yours,

J. M. DURRETT, Jr.
Special Assistant
Attorney General

JMD/esr
Enclosure

cc: Mr. Willard C. Franks
P. O. Box 163
Briggsdale, Colorado

Mr. J. E. Kapteina
District Supervisor, District 4
Oil Conservation Commission
P. O. Box 2088
Santa Fe, New Mexico

C
O
P
Y

Memo

From

I. R. TRUJILLO
ADMINISTRATIVE ASSISTANT

To James A. Co.

Have well within
10 days

4225946 303

Denver, Colo.

Mr. Keaton

Oct 19, 1968 8:30 AM

L-490-A
Shipping
Case file
[Signature]

October 14, 1965

Dear Mr. Durrett:

This will acknowledge your letter of October 8, 1965, with enclosures.

Thank you for calling this matter to our attention.

E. W. Laking, Examiner
Claim Department

ewl/agr

Plugging
care file

Willard C. Franks
GEOLOGY - OIL OPERATOR
BOX 144
BRIGGS DALE, COLO.
Nov. 6, 1965

NOV 10 1965

Oil Conservation Commission
Santa Fe, New Mexico

Dear Sirs:

Re: LaRoe No. 1 Well
SENW Sec. 19, Twp. 27 N. R 22E
NMPM
Colfax County, N. M.

I have just signed a drilling contract with the James Drilling Company, Denver, Colorado, to do the last work on the LaRoe well.

This company will move the rig to location Monday or Tuesday upon receipt of clearance by your State Patrol.

I would appreciate your sending a plugging program covering this well to avoid any delay should the well not be productive. This can be addressed to me at Springer, N. M.

I feel that I have a very good chance of having a producing well when we drill into the Dakota SS but one can never tell.

I regret the trouble I have caused you people and the trouble I have had with contractors on this well hasn't been pleasant but we have done the best we could and paid a terrible price because of incompetent drilling contractors.

Your long patience has been appreciated, I assure you.

Yours very truly,

Willard C. Franks

OIL CONSERVATION COMMISSION
P. O. BOX 2083
SANTA FE, NEW MEXICO

LEGAL DIVISION
PHONE 827-2741

November 22, 1965

C
O
P
Y

The Aetna Casualty and Surety Company
Aetna Building
300 East Ninth Avenue
Denver, Colorado

Attention: Mr. Bert Merrill, Manager

Re: Case No. 3321, Order No. R-2991
Bond: \$5,000 One-Well Plugging Bond
Principal: Willard C. Franks
Surety: The Aetna Casualty and Surety Company
Obligee: State of New Mexico

Gentlemen:

This office has been advised by the District Supervisor, Oil Conservation Commission, District 4, Santa Fe, New Mexico, that the LaRoe Well No. 1, located in the SE/4 NW/4 of Section 19, Township 27 North, Range 22 East, NNPM, Colfax County, New Mexico, has been plugged in accordance with the provisions of the above order. We therefore release our plugging demand concerning this well.

Very truly yours,

J. M. DURRETT, Jr.
Special Assistant
Attorney General

JMD/esr

cc: Mr. Willard C. Franks
P. O. Box 144
Briggsdale, Colorado

Mr. J. E. Kapteina
District Supervisor, District 4
Oil Conservation Commission
P. O. Box 2088
Santa Fe, New Mexico

RECEIVED
OFFICE OF THE GOVERNOR
SANTA FE, N.M.

OCT 16 9 04 AM '65

Willard C. Franks
GEOLOGIST - OIL PRODUCER
BOX 163 - PHONE 21 F 3
BRIGGSDALE, COLORADO

October 14, 1965

File
Case 3321

Governor Jack M. Campbell
Chairman Oil Conservation Commission
Santa Fe, New Mexico

Dear Sir:

RE: Case No. 3321
Legal Division
Oil Conservation Comm.
Santa Fe, New Mexico

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Perhaps I have caused the Conservation Commission some inconvenience regarding this but a producing well to me is well worth all of the inconvenience and delays I have encountered in this undertaking and if a field can be opened in the Raton Basin which the majors have never been able to do, which is understandable when one considers the negative geology on which they have drilled, the inconvenience will be well worth while to all who have the interest of the state at heart.

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Willard C. Franks

Enc.

October 14, 1965

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Special Assistant
Attorney General
P. O. Box 2088
Santa Fe, New Mexico

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I have just recently arranged for a driller to move to this location to complete the work which may require not more than 10' to break into the main sand body; and this driller called the Conservation Commission at my request to inform the Commission that he ~~wants~~ move to my location just as quickly as he finished the well that he was drilling. This has been finished so he has informed me and he is now making some repairs on his rig prior to moving to location.

I have done all that I can to get this well completed and have spent no little money to reach this objective. I am still confident that I will have an oil well or I would have plugged and abandoned the well long ago. If I quit that Basin it will be finished for I have been instrumental in getting four wells drilled prior to the present one and each well supported my faith in oil production in the Raton Basin or I would not have undertaken the present development.

The landowners, Sam and Dale Evans LaRoe, are familiar with the difficulties I have met with on that well and never once have they complained about the long drawn out procedure. The well has no water to become contaminated and I am high on structure with a rig under commitment to move to the location and finish drilling into the Dakota sandstone, which, if non-productive, will be followed by plugging as per instruction of the Conservation Commission. It will be necessary to move a rig to location for plugging, anyhow, and if this well is plugged without the additional few feet of drilling that will be necessary an oil field in the Raton Basin may have been passed up. Everything is to be gained and absolutely nothing lost if I am permitted to proceed as I wish to and the Conservation Commission has been advised what I would do.

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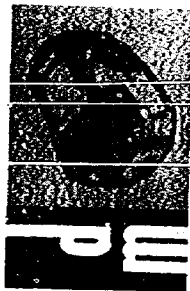
Yours very truly,

CC - Mr. Paul Billingham, The Aetna Casualty & Surety Co.
Governor Jack M. Campbell, Chairman Oil Conservation Comm. ✓
Daniel S. Nutter, Examiner

dearnley-meier reporting service, inc.

SPECIALIZING IN: DEPOSITIONS, HEARINGS, STATEMENTS, EXPERT TESTIMONY, DAILY COPY, CONVENTIONS

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PAGE 1

BEFORE THE
NEW MEXICO OIL CONSERVATION COMMISSION
Santa Fe, New Mexico
October 19, 1965

EXAMINER HEARING

IN THE MATTER OF:

The hearing called by the Oil
Conservation Commission on its own
motion to permit Willard C. Franks and
all other interested parties to show
cause why the LaRoe Well No. 1 located
in the SE/4 NW/4 of Section 19,
Township 27 North, Range 22 East, Colfax
County, New Mexico, should not be
plugged in accordance with a Commission-
approved plugging program.

Case No. 3321

BEFORE: Daniel S. Nutter, Examiner

TRANSCRIPT OF HEARING

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PAGE 2

MR. NUTTER: The hearing will come to order, please. The first case this morning will be Case 3321, which is in the matter of the hearing called by the Oil Conservation Commission on its own motion to permit Willard C. Franks and all other interested parties to show cause why the LaRoe Well No. 1 located in the Southeast Quarter Northwest Quarter of Section 19, Township 27 North, Range 22 East, Colfax County, New Mexico, should not be plugged in accordance with a Commission-approved plugging program.

Mr. Durrett, do you have a witness in this case?

MR. DURRETT: If the Examiner please, Jim Durrett, representing the Commission Staff, and I do have one witness, Mr. Kapteina.

(Witness sworn.)

MR. NUTTER: Are there any other appearances in Case 3321? Go ahead, Mr. Durrett.

JAMES E. KAPTEINA

called as a witness herein, having been first duly sworn on oath, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. DURRETT:

Q Will you please state your name and position for the record?

A James E. Kapteina, Petroleum Engineer for the New

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PAGE 3

Mexico Oil Conservation Commission.

Q Are you also the supervisor of the Commission's District Number Four, Mr. Kapteina?

A Yes, sir, I am.

Q Is Colfax County, New Mexico, within your jurisdiction as supervisor of District Number Four?

A It is.

Q Are you familiar with the Willard C. Franks LaRoe Well No. 1 which is the subject matter of this hearing?

A Yes.

Q Is this well located in the Southeast Quarter of the Northwest Quarter of Section 19, Township 27 North, Range 22 East?

A It is.

Q Will you please refer to the file that you have before you and state to the Examiner if that is the Commission's official well file concerning this well?

A Yes, sir, it is.

Q Will you please refer to that file, Mr. Kapteina, and give the Examiner some background concerning this well, particularly what date was it drilled, by whom, according to your record?

A Notice of Intention to Drill was filed March 28th, 1963.

Q Who was the operator, Mr. Kapteina?

A Mr. Willard C. Franks from Briggsdale, Colorado.

Notice of Intention was approved on April 5th. The well was spudded on around May 14th, and sixty feet of surface casing was set on the same day, and drilling proceeded to approximately 260 feet when they had a little rig trouble. After that was corrected, he went on to about 1400 feet and --

Q You are obtaining all of this information that you are stating to the Examiner at this time from the reports filed with the Commission, is that correct?

A These are reports either on the Commission form or by letter.

MR. NUTTER: Mr. Kapteina, was 1400 feet reached?

A On or about July the 10th.

MR. NUTTER: Of '63?

A Yes, sir. At that time he changed rigs again and then after the rig change, he drilled to 1750 feet and drilling was stopped again.

MR. NUTTER: What date was that, Mr. Kapteina?

A March 28th, 1964.

Q (By Mr. Durrett) What does your next report indicate?

A That's just to confirm the fact that he had gone to 1750 feet.

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PAGE 5

Q Is that the present status of the well as far as you know from your records?

A No. He obtained another rig and in September, I believe it was, and then --

Q What year are you in now, Mr. Kapteina?

A 1964. -- and proceeded to ream from 1295 to 1755 before that rig was released. Then we had no further reports on this well from September, 1964, and I made a field trip in October to check this well. There was no rig on the hole.

MR. PORTER: Was that October of '64?

A October of '64. I then, on May 10th, I wrote to Mr. Willard C. Franks and called upon him to resume operations or plug and abandon the LaRoe No. 1. To this time I have no reports from Mr. Franks as to any resumption of the drilling operations, although I made a field trip in September and the land owner informed me that there had been a rig on the well in August.

Q (By Mr. Durrett) Is that this last September, September, 1965?

A September of '65, yes, sir. We do have numerous forms which are more or less just correspondence rather than actual drilling operations or report of any operation, stating that he was trying to obtain a rig to get back on this well, and that he had ten feet to drill to pay zone.

Q Will you please state again to the Examiner when the last drilling activity was taking place on this well, as you can tell from your official reports?

A From official reports, the last drilling reported was September 24, 1964.

Q And what is the present status of the well as far as casing and --

A There's sixty foot of surface casing in the hole. The well has been drilled to approximately 1800.

Q Are you familiar with Rule 202-C of the Commission's Rules and Regulations, Mr. Kapteina?

A Yes, sir, I am.

Q Would you please summarize that for the Examiner, what the substance of that rule is?

A When drilling operations have been suspended for sixty days, the well shall be plugged and abandoned unless a permit for temporary abandonment has been obtained from the Commission.

Q Have you issued a permit for temporary abandonment concerning this well?

A I have not. I have had no application for temporary abandonment.

Q Are you of the opinion that this well has been abandoned, Mr. Kapteina?

A It would appear to be abandoned, yes. There have been no operations or reported operations since September, 1964.

Q Is it your opinion that this well is causing waste or will cause waste if it is not plugged in the near future?

A Mr. Franks reported that some gas had been coming from the well in small amounts, and without casing in the well and the well shut in, that will escape to some other zone if there's any other porous zones present.

Q Do you have a recommendation to make to the Examiner concerning this well?

A The Commission had a call from James Drilling Company in Denver, Colorado, that they had been contacted by Mr. Franks and that they had contracted to move a rig on the LaRoe No. 1 within the next ten days and to try to complete this well for Mr. Franks.

Q You would have no objection to this well being completed if it were done within a reasonable time, would you, Mr. Kapteina?

A No. I would recommend that Mr. Franks be given to November the 15th to complete this well as a producer, if possible, or to plug and abandon the well by November 30th.

Q You are recommending that he be given until November 15th to put the well on production, and if it is not

on production at that date, to be given until when to plug it?

A November 30th. That's an additional fifteen days.

Q An additional fifteen days to plug the well?

A That's right.

Q Do you have a plugging program to recommend to the Examiner in the event that the well has to be plugged?

A Not at this time. That would depend on the drilling that might be carried on from the time the rig moved on until he either completed it as a producer or was ready to plug and abandon it.

Q Then you would recommend that if the well is not completed by November 15th, that he be required to submit a plugging program to you for your approval; is that your recommendation?

A Either that or additional information on the formations encountered in the well.

MR. DURRETT: Thank you, Mr. Kapteina. That will complete my examination of Mr. Kapteina, and the Commission case concerning this well.

CROSS EXAMINATION

BY MR. NUTTER:

You stated that on May 10th you wrote to Mr. Franks and called on him to resume operations or to plug and abandon the well. Have you had correspondence with him since

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PAGE 9

that date?

A Quite a bit.

Q What has been the essence of that correspondence?

A That he has been unable to obtain rigs. He has been trying to obtain rigs to move on this well. He has been all over New Mexico and part of Colorado trying to get a rig.

Q And there hasn't been a rig available anywhere?

A Not until the present time.

Q But now a drilling contractor contacted you and said that they had contracted to move onto this well within ten days. Presumably that's ten days from October 19th because you got the call today?

A Yes.

Q You mentioned the figure ten feet, is that the operator's statement in his correspondence, that he has ten feet to go to the pay?

A In one of these letters, or possibly more than one of these letters, that is what he has stated.

Q So in other words, presuming that the rig would be moved on by October 29th at the latest, you figure that until November 15th would be the necessary time to drill the necessary ten feet?

A Yes.

Q And the well would be completed as a producer by

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PAGE 10

that date?

A That would give him time to drill an additional ten feet and if production is obtained, to set casing and condition the well for production.

Q And then if he has evaluated it and it's a non-commercial, he would have an additional fifteen days to November 30th to plug it?

A That's correct.

Q The plugging program that you didn't recommend, I presume would be a plugging program, although it's not in the record, it would be a plugging program of the normal type where cement plugs would be set at the proper places and the interval between those places filled with heavy mud?

A Yes.

Q It's just a matter of the exact footage that you are not sure of at this time?

A That's correct. At the present time he has reported that gas has been entering the hole during the last 450 feet drilled, but has not determined exactly where that gas is coming from, so it would be necessary to contain that in the strata in which it's found.

Q Has any water been encountered in this well, to your knowledge?

A None reported.

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Q So at least you would have to have a cement plug down where this gas is, somewhere in the bottom 450 feet?

A That's right.

Q And in the event there are water sands above that, you would want a cement plug there?

A There are no water sands above that. They have encountered no water whatsoever.

Q Then you would want a cement plug at the surface?

A And the normal regulation marker.

Q And a marker?

A Yes.

Q This would all be determined after you find out what has happened during this forthcoming drilling operation?

A Yes, that's correct.

MR. NUTTER: Are there any other questions of Mr. Kapteina? Mr. Porter.

BY MR. PORTER:

Q How many trips have you made to the well since it was spudded?

A Since it was first drilled?

Q Yes.

A Two.

Q And there was not any rig on the hole at either time?

A At no time did I find a rig on the hole.

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PAGE 12

Q And he has supposedly changed rigs some two or three times?

A At least four times.

Q Four times?

A From his correspondence.

Q And his last correspondence is to the effect that he hadn't been able to get a drilling rig over a period of several months?

A Yes, that's right.

Q That would indicate a shortage of drilling rigs in the country?

A Either that or he's very particular.

MR. PORTER: That's all I have.

MR. DURRETT: Mr. Examiner, I would like to move that you take administrative notice of the Commission Well File in this case, and the contents thereof.

MR. NUTTER: We will take notice of the Well File *its contents,* and ~~the correspondence,~~ and the various and sundry correspondence that we have relating to the well.

If no further questions of Mr. Kapteina, he may be excused.

(Witness excused.)

MR. NUTTER: Do you have anything further, Mr.

Durrett?

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MR. DURRETT: I do not.

MR. NUTTER: Does anyone have anything further to offer in Case 3321? We will take the case under advisement.

* * * *

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss

I, ADA DEARNLEY, Court Reporter - Notary Public, do hereby certify that the foregoing and attached Transcript of Hearing before the New Mexico Oil Conservation Commission was reported by me, and that the same is a true and correct record of the said proceedings, to the best of my knowledge, skill and ability.

WITNESS my Hand and Seal this 20th day of October, 1965.

Ada Dearnley
Court Reporter - Notary Public

My Commission Expires:
June 19, 1967.

I do hereby certify that the foregoing is a complete record of the proceedings in the Examiner hearing of Case No. 3321 heard by me on 10/19, 1965.

[Signature] Examiner
New Mexico Oil Conservation Commission

NEW MEXICO OIL CONSERVATION COMMISSION

EXAMINER HEARINGSANTA FE, NEW MEXICOREGISTERHEARING DATE OCTOBER 19, 1965 TIME: 9 A.M.

NAME:	REPRESENTING:	LOCATION:
Jason Kellahn	Kellahn & Fox	Santa Fe
John D. Russell	Newmont Oil Co	Rosewell
Hermond Reddutter	" " "	Artesia
Fred A. Watson (Watson & Watson)	att'y for Nash, Windfeller & Benson	Artesia
Ralph L. Dray	Engineer for " " "	Artesia
Rush Vann	" " " " "	Artesia
V. T. Lyon	CONTINENTAL OIL CO	Hobbs
L. E. Kopchek	" "	"
Nina Dukarmo	PW Byram & Co.	Santa Fe
Frank E. Luby	State Engr. Office	Santa Fe