

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

**CASE NO. 13336
ORDER NO. R-12271**

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE SUPERVISOR OF DISTRICT I, FOR AN ORDER REQUIRING B. BERNARD LANGFORD TO BRING ONE WELL INTO COMPLIANCE WITH 19.15.4.201 NMAC, ASSESSING AN APPROPRIATE CIVIL PENALTY IN THE EVENT OF NON-COMPLIANCE, AUTHORIZING THE DIVISION TO PLUG SAID WELL AND ORDERING A FORFEITURE OF THE APPLICABLE PLUGGING BOND, LEA COUNTY, NEW MEXICO.

ORDER OF THE DIVISION

BY THE DIVISION:

This case came on for hearing at 8:15 a.m. on September 2, 2004, at Santa Fe, New Mexico, before Examiner William V. Jones.

NOW, on this 18th day of January, 2005, the Division Director, having considered the testimony, the record, and the recommendations of the Examiner,

FINDS THAT:

(1) Due public notice has been given, and the Oil Conservation Division ("Division") has jurisdiction of this case and its subject matter.

(2) The Division seeks an order: i) requiring B. Bernard Langford ("Langford"), the operator in fact of the following-described inactive well, to bring the well into compliance with 19.15.4.201 NMAC; ii) assessing appropriate civil penalties in the event of non-compliance; and iii) authorizing the Division to plug said well and forfeit the applicable security in default of compliance by the operator.

Spears State No. 1 API No. 30-025-22098
Unit F, Section 2, Township 26 South, Range 37 East, Lea County, New Mexico.

(3) The Division determined that there is a \$5,000 single-well surety bond, number 510E5648 obtained from Travelers Indemnity Company in 1979 under the name of B. Bernard Langford, to secure Langford's obligation to plug and abandon this well in accordance with Division rules on inactive wells.

(4) Notice of this case was mailed to Langford, as last known operator, and to the surety company of this operator for this well. Langford was not located.

(5) Division well records and testimony presented by the Division indicate that:

a) John Yuronka drilled this well in 1967 to a depth of 3,000 feet and ran porosity and resistivity logs. The well was dry and abandoned prior to setting pipe;

b) the plugged well was re-entered by Doyle Hartman ("Hartman") in March of 1975 to a depth of 3,650 feet, modern logs were run, 4-1/2 inch casing was run and cemented, the Queen-Penrose oil formations were perforated, treated, and tested as all water, the Yates gas interval was perforated, treated, and flow tested. The Yates was reported to be "not productive at commercial volumes" but an initial potential test was recorded in August of 1975 and Hartman applied for a 160-acre non-standard spacing unit. The Division issued order NSP-1018 on March 29, 1976, creating a NW/4 gas spacing unit;

c) in June of 1976, the Division recorded an operator change to Bernard Langford. The operator change was amended in 1978 to B. Bernard Langford in order to ensure that the operator name was the same as the name on the bond;

d) the ONGARD database has been in effect since 1993 and shows no record of production or injection for this well; and

e) the well is inactive and has not been temporarily abandoned or plugged and abandoned.

(6) The Division finds that:

a) the subject well is not in compliance with 19.15.4.201 NMAC;

b) the operator should be ordered to bring this well into compliance;

and

c) if the operator fails to comply; a penalty of \$1,000 should be assessed, the Division should forfeit the security furnished by the operator, and the Division should plug the well and clean up the well site.

(7) Approval of the Division's application will protect the environment, is necessary to enforce Division Rule 201, and should be approved.

IT IS THEREFORE ORDERED THAT:

(1) B. Bernard Langford is hereby ordered to bring the following-described well into compliance with 19.15.4.201 NMAC on or before February 28, 2005 by either returning it to beneficial use, securing temporary abandonment status in accordance with 19.15.4.203 NMAC, or by plugging and abandoning.

Spears State No. 1 API No. 30-025-22098
Unit F, Section 2, Township 26 South, Range 37 East, Lea County, New Mexico.

(2) B. Bernard Langford, prior to beginning work on this well shall obtain approval for any such work from the supervisor of the Division's district office in Hobbs and shall notify the Hobbs District Office of the date and time this work is to commence, whereupon the Division may witness such work.

(3) In the event B. Bernard Langford fails to comply with ordering paragraph (1) above, then:

a) B. Bernard Langford's plugging bond shall be forfeited as provided in NMSA 1978 Section 70-2-14, as amended;

b) a fine in the amount of \$1,000 shall be assessed against B. Bernard Langford, payable to the Division prior to March 31, 2005;

c) the Division is authorized to plug and abandon this well and to remediate the site thereof in accordance with Division rules; and

d) the Division is further authorized to demand and collect reimbursement of its costs incurred in plugging and abandoning this well and in remediating the site thereof from B. Bernard Langford to the extent of any excess of such costs over and above the amount collected from the surety.

(4) Jurisdiction of this cause is retained for the entry of such further orders as the Division may deem necessary.

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



STATE OF NEW MEXICO
OIL CONSERVATION DIVISION



MARK E. FESMIRE, P.E.
Director