

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

IN THE MATTER OF THE HEARING CALLED BY)
THE OIL CONSERVATION DIVISION FOR THE)
PURPOSE OF CONSIDERING:)

CASE NO. 12,436

APPLICATION OF THE OIL CONSERVATION)
DIVISION FOR AN ORDER REQUIRING W.J.)
CONOVER TO PROPERLY PLUG ONE WELL,)
OTERO COUNTY, NEW MEXICO)

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

BEFORE: DAVID R. CATANACH, Hearing Examiner

June 15th, 2000

Santa Fe, New Mexico

This matter came on for hearing before the New Mexico Oil Conservation Division, DAVID R. CATANACH, Hearing Examiner, on Thursday, June 15th, 2000, at the New Mexico Energy, Minerals and Natural Resources Department, Porter Hall, 2040 South Pacheco, Santa Fe, New Mexico, Steven T. Brenner, Certified Court Reporter No. 7 for the State of New Mexico.

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I N D E X

June 15th, 2000
 Examiner Hearing
 CASE NO. 12,436

PAGE

APPLICANT'S WITNESS:

MIKE STUBBLEFIELD (Field Rep II, Artesia District
 Office, District 2, NMOCD; Present by Telephone)
 Direct Examination by Ms. Hebert

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REPORTER'S CERTIFICATE

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E X H I B I T S

Applicant's	Identified	Admitted
Exhibit 1	4	-
Exhibit 2	-	-
Exhibit 3	6	-

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A P P E A R A N C E S

FOR THE DIVISION:

LYN S. HEBERT
 Attorney at Law
 Legal Counsel to the Division
 2040 South Pacheco
 Santa Fe, New Mexico 87505

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1 WHEREUPON, the following proceedings were had at
2 10:20 a.m.:

3 EXAMINER CATANACH: At this time I will call Case
4 12,436, which is the Application of the Oil Conservation
5 Division for an order requiring W.J. Conover to properly
6 plug one well, Otero County, New Mexico.

7 Again, call for appearances in this case.

8 MS. HEBERT: Mr. Examiner, Lyn Hebert appearing
9 on behalf of the Oil Conservation Division.

10 I have one expert witness who has qualified in
11 previous Case Number 12,433, and the witness was sworn.

12 EXAMINER CATANACH: Any additional appearances?

13 The record will reflect there are no additional
14 appearances and also that Mr. Stubblefield, the witness in
15 this case, has been previously sworn and qualified.

16 Ms. Hebert?

17 MS. HEBERT: Yes, I present to the Examiner the
18 exhibits in this matter.

19 MIKE STUBBLEFIELD (Present by Telephone),
20 the witness herein, after having been first duly sworn upon
21 his oath, was examined and testified as follows:

22 DIRECT EXAMINATION

23 BY MS. HEBERT:

24 Q. Mr. Stubblefield, turning to Exhibit 1, would you
25 describe for the Examiner the well that we seek to plug in

1 this case?

2 A. Yes, ma'am, it's the W.J. Conover J.M. Lewelling
3 Number 1.

4 Q. And from the history in the well files, when was
5 this well drilled and when was the date of last production?

6 A. Yes, ma'am, our records show this well to have
7 been spudded 3-17 of 1974. 5-1/2-inch casing was run and
8 cemented at 8750 foot. The well was completed with
9 perforations from 8000 to 8016 foot. The well has never
10 shown any production.

11 Q. And have you made your recommendations for
12 plugging this well, and is that in Exhibit 1?

13 A. Yes, ma'am, I recommend that this well be plugged
14 to protect the fresh waters of New Mexico, correlative
15 rights in the area.

16 Q. Mr. Examiner, I believe the plugging procedures
17 -- Mr. Stubblefield, could you tell us where we will find
18 the plugging procedures? I've got a diagram in the last
19 piece of Exhibit 1.

20 A. Well, I'm looking here, ma'am. You have no
21 diagram of a plugging procedure for this well?

22 Q. Well, I do. I believe that there are two --
23 There's a diagram in the middle of the last piece of
24 Exhibit 1, what starts, the John West Engineering Company.
25 Is that your plugging procedures, or would I find those

1 somewhere else?

2 A. Let's see, I'm looking, ma'am. Do you have it in
3 the last part of Exhibit 1?

4 Q. Yes, it's kind of -- I'd say there are about 20
5 pages stapled together.

6 A. Give me a minute here.

7 Q. Okay.

8 A. Is this plugging procedure dated 1978?

9 Q. Well, that's what I'm looking at.

10 A. Yeah. No, that is a Houston Oil and Minerals
11 Corporation plugging procedure.

12 Q. Where would we find the plugging procedure you're
13 recommending?

14 A. I don't see it in your exhibits, ma'am. I will
15 need to work one up.

16 MS. HEBERT: Mr. Examiner, apparently this well
17 was considered for plugging in an earlier case back in
18 1995. I don't know whether the exhibits that I've provided
19 you have any OCD-recommended plugging procedures. I don't
20 seem to find any in my group.

21 Q. (By Ms. Hebert) I think at that time, Mr.
22 Stubblefield, Ray Smith was working on this plugging case.
23 Is that your understanding?

24 A. Yes, ma'am, Ray did submit this to Santa Fe for
25 show cause. And I was under the impression that he had put

1 a plugging procedure in that recommendation, but I can find
2 no plugging procedure.

3 MS. HEBERT: Mr. Examiner, we request that we be
4 allowed to supplement this record with recommended plugging
5 procedures from the District Office.

6 EXAMINER CATANACH: Okay. Just looking at the
7 Exhibit Number 1, it appears that this case was previously
8 docketed for hearing and that at the request of Mr. Conover
9 and a Mr. Owens we dismissed it on the assumption that Mr.
10 Owens was going to convert this well to a water well on his
11 ranch. It appears that we gave them additional time to
12 respond, to tell us of the current status of the well and
13 that apparently we never did hear from them.

14 MS. HEBERT: Yes, Mr. Examiner, that's my
15 understanding. And moving to Exhibit 3, which is the
16 affidavit of notice, notice was sent to the last known
17 address for both the person who was apparently interested
18 in converting this to a water well, as well as the
19 operator.

20 EXAMINER CATANACH: And was notice received by
21 both parties?

22 MS. HEBERT: There is a return for the notice
23 sent to Kenneth Owens. He was the rancher with an address
24 in Magdalena, New Mexico. This indicates that the address
25 is now Altair, Texas, and that return was received by OCD.

1 We have not had any communication from anybody on behalf of
2 Mr. Owens.

3 As far as Mr. Conover, there's an indication in
4 Exhibit Number 1 that Mr. Conover passed away, and we did
5 not receive a green card back from Mr. Conover. The entire
6 letter was returned to OCD.

7 EXAMINER CATANACH: Okay, and did we notify the
8 insurance company in this case?

9 MS. HEBERT: Yes, we notified American
10 Manufacturers Mutual Insurance at the last known address we
11 had in California, Folsom, California. This, again, was
12 returned to OCD. Apparently there was no forwarding
13 address for that.

14 EXAMINER CATANACH: I assume that we will try and
15 further locate that company, Ms. Hebert, or --

16 MS. HEBERT: Yes, we will. This is an old -- You
17 know, this goes back 25, 26 years, so we will attempt to
18 collect whatever the actual cost of plugging on this well
19 will be.

20 EXAMINER CATANACH: All right. Is there anything
21 further.

22 MS. HEBERT: There's nothing further in this
23 case.

24 EXAMINER CATANACH: Nothing further in this case.
25 We will leave the record open to supplement the Division's

1 recommended plugging procedure for this well and hope that
2 we will get that soon, and we'll go ahead and take the case
3 under advisement at this time. Case 12,436 will be taken
4 under advisement.

5 MS. HEBERT: Thank you.

6 (Thereupon, these proceedings were concluded at
7 10:28 a.m.)

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13 I hereby certify that the foregoing is
14 a complete record of the proceedings of
the Examiner hearing of Case No. 12436
15 heard by me on June 15 1900
David R. Catant, Examiner
16 Oil Conservation Division
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CERTIFICATE OF REPORTER

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

I, Steven T. Brenner, Certified Court Reporter and Notary Public, HEREBY CERTIFY that the foregoing transcript of proceedings before the Oil Conservation Division was reported by me; that I transcribed my notes; and that the foregoing is a true and accurate record of the proceedings.

I FURTHER CERTIFY that I am not a relative or employee of any of the parties or attorneys involved in this matter and that I have no personal interest in the final disposition of this matter.

WITNESS MY HAND AND SEAL June 16th, 2000.



STEVEN T. BRENNER
CCR No. 7

My commission expires: October 14, 2002