

February 10, 1938

Hon. J. O. Seth  
Attorney and Counselor at Law  
111 San Francisco St.,  
Santa Fe, N. M.

Re: Case No. 10, In the  
Matter of Special Spacing  
upon Petition of J. F.  
Cusack.

My dear Judge:

In accordance with your letter of February 16, enclosing photostatic copy of a letter from the Empire Oil and Refining Company, under date of January 26, 1938, consenting to the special location petitioned for and granted by order of the Commission in the above matter, said letter is today being filed with the papers in the case.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CRL:m

J. O. SETH  
ATTORNEY AND COUNSELOR AT LAW  
111 SAN FRANCISCO ST.  
SANTA FE, NEW MEXICO

A. K. MONTGOMERY

Feb. 16, 1938.

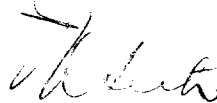
Hon. Carl Livingston,  
State Land Office,  
Santa Fe, N.M.

Dear Carl:

I enclose photostat copy of letter from the Empire Oil and Refining Company to Mr. J. P. Cusack, dated Jan. 26, 1938, in which that company expresses its agreement to the location of the well of Mr. Cusack 1,000 feet from the north line and 130 feet from the west line of the E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec. 34, Twp. 18 S., R. 38 E., Lea County.

At the hearing before the Oil Conservation Commission on Feb. 7th last, on Mr. Cusack's application for the location of the well, he promised to furnish a copy of this letter. I am sending it to you direct with the request that you please see that it is placed with the other papers relating to the hearing on Mr. Cusack's application held as above stated.

Very truly yours,



JOS:M

CITIES SERVICE OIL COMPANY  
FORMERLY  
**EMPIRE OIL & REFINING COMPANY**



**BARTLESVILLE, OKLA.**

EMPIRE OIL & REFINING CO.  
CITIES SERVICE OIL CO.  
EMPIRE PIPELINE CO.

January 26, 1938

Mr. J. P. Cusack,  
J. P. Cusack, Inc.,  
P. O. Box 208,  
Midland, Texas.

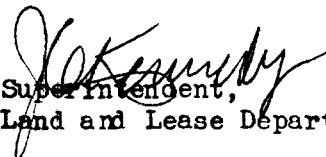
Dear Sir,

Referring to your letter of January 14, we now have executed oil and gas lease, dated January 20, 1938, issued in your favor covering an undivided 1/16 interest in the East Half of Southeast Quarter of Section 34, Township 18 South, Range 38 East, Lea County, New Mexico, providing for oil payment, in addition to the royalty, of \$75 an acre or total of \$375 out of one-fourth of first oil and/or gas produced, saved and sold from the working interest. The lease is made for term of six months, subject to commencement of a well at location on said land on or before February 10, 1938, and completion of the well with due diligence to the known producing formation in the area.

We will hold the executed lease and make delivery to you upon the spudding of the well, or, if you prefer, we shall be glad to send the lease to some bank for escrow until the well is spudded. We shall be glad to have you advise which you would prefer or if neither plan is suitable for your plans advise how you wish the matter handled.

By this letter, we wish to confirm our telegram of January 19th advising that the location specified in your letter of January 14, 1938, is satisfactory to us, that is, the location 1,000 feet from the North line and 130 feet from the West line of the East Half of Southeast Quarter of said Section 34.

Yours very truly,

  
Superintendent,  
Land and Lease Department.

JCK:GM

January 14, 1938

Hon. Guy Shepard  
State Oil and Gas Inspector  
Oil Conservation Commission  
Hobbs, New Mexico

Dear Guy:

Enclosed is a notice for publication which has just gone forward to the Hobbs News. Please check up on them Monday to see that they get it in the paper on Monday, if possible, and if not, then see that they get it in on the 18th. Monday the 17th will be better.

Tell Mr. Cusack, in the meantime, to file his formal application with the Commission so we will have it as the initial court paper in the proceedings for this particular special spacing.

The hearing, as you will note, is set for February 7, at 9:00 A. M.,

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:m

January 22, 1938

Mr. J. P. Cusack  
Box 208  
Midland, Texas

Re: O. C. C. Case No. 10.

Dear Mr. Cusack:

In response to your letter of January 14, please be advised that on the same date, you were written a letter, in which was enclosed publication notice pertaining to the hearing for special spacing, in accordance with your petition and request. I assumed that you had called me from Hobbs, and therefore mailed this matter to you at Hobbs. The same was today returned and is enclosed herewith.

Your Petition and Notice of Intention to Drill were received in your letter of January 14. Remember that the hearing is set for February 7, at nine o'clock, A. M., all of which is pointed out in my letter to you of January 14.

Very truly yours,

OIL CONSERVATION COMMISSION

By \_\_\_\_\_  
Carl B. Livingston  
Attorney

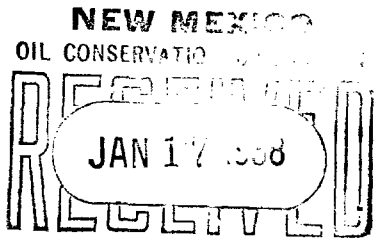
CBL:m

J. P. CUSACK, INC.

BOX 208

MIDLAND, TEXAS

January 14, 1938.



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

Attention Mr. Carl Livingston.

Gentlemen:

Enclosed herewith find "Notice of intention to drill" executed in triplicate covering the E2 SE4 of Section 34-18 South, Range 38 East, Lea County, together with petition as to spacing.

Shall appreciate your wiring me collect upon receipt of the enclosed papers.

JC/L

Yours very truly,

  
J. P. Cusack.

*[Faint handwritten notes and scribbles in the bottom left corner, including the word "Lump" and some illegible markings.]*

January 14, 1938

New Mexico Examiner  
Santa Fe, New Mexico

Gentlemen:

Enclosed herewith please find Notice for Publication, which you are kindly requested to publish once on Monday, January 17, at any rate not later than January 18. Please furnish the Commission with a copy of your newspaper containing this publication.

Immediately upon completion of the publication, be sure to transmit to the Oil Conservation Commission your affidavit of publication.

Upon submitting your affidavit to the Commission, please send your statement, in duplicate, together with the enclosed purchase voucher, also in duplicate.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:m

January 14, 1938

**The Hobbs News**  
Hobbs, New Mexico

Gentlemen:

Enclosed herewith please find Notice for Publication, which you are kindly requested to publish once on Monday, January 17, at any rate not later than January 18. Please furnish the Commission with a copy of your newspaper containing this publication.

Immediately upon completion of the publication, be sure to transmit to the Oil Conservation Commission your affidavit of publication.

Upon submitting your affidavit to the Commission, please send your statement, in duplicate, together with the enclosed purchase voucher, also in duplicate.

Very truly yours,

OIL CONSERVATION COMMISSION

By

Carl B. Livingston  
Attorney

CBL:m



January 14, 1938

Mr. J. P. Cusack  
Hobbs, New Mexico

Dear Mr. Cusack:

Enclosed is a notice for publication which has just gone forward to the Hobbs News. Please check up on them Monday to see that they get it in the paper on Monday if possible, and if not, then see that they get it in on the 18th. Monday the 17th will be better.

In the meantime, please file your formal application with the Commission so that we will have it as the initial court paper in the proceedings for this particular special spacing.

The hearing, as you will note, is set for February 7, at nine o'clock, A. M., at which time you should appear before the Commission with your witnesses to testify in support of your petition for special spacing. The Commission, for this purpose, sits as a court and its order is a judgment founded upon sworn testimony adduced before the Commission.

Very truly yours,

Oil Conservation Commission

By

Carl B. Livingston  
Attorney

CBL:m

1000 South of the N line  
@ 130 feet East of  
the West line of the  
A E 4 3 4 - 18 S - 38 E

25 Iron line - &  
property - school  
building, residences,  
as most available  
tract not built upon,

7<sup>th</sup> - 9 A.M.

New Mexico  
Oil Conservation Commission  
Santa Fe, New Mexico

GOVERNOR CLYDE TINGLEY, Chairman  
STATE GEOLOGIST G. D. MACY, Member  
STATE LAND COMMISSIONER FRANK WORDEN,  
Secretary



Hobbs, N.M.  
Box 1545  
Jan. 12, 1938.

Mr. Carl Livingston, Atty.,  
Oil Conservation Commission,  
Santa Fe, New Mexico.

Dear Carl:

J. P. Cusack will send you a notice of  
intention to drill on Section 34, Twp. 18 South,  
Range 38 East, here in Hobbs.

In that this well will be drilled on  
the townsite it will be impossible to make a regular  
location, and I told him he would have to get a  
special hearing. He only has until February 10,  
1938, to get this well started, and I would  
appreciate it very much if you would get this  
notice in the paper as soon as possible,

Very truly yours,

OIL CONSERVATION COMMISSION

By

*Guy Shepard*  
Guy Shepard,  
Oil & Gas Inspector,

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