

WATCH THE GREAT
SAN JUAN BASIN

N. SPATTER

OIL AND GAS LEASES
OIL OPERATOR

Box 1234, Long Beach, Calif.
~~ALBANY, NEW MEXICO~~

SSION
AUG 24 1938

August 22, 1938.

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

Dear Sir:

I wish to thank you for your kind letter
of the 20th and I assure you that I appre-
ciate your promptness and attention in
this matter.

Thanking you, I wish to remain,

Very truly yours,

N. Spatter
N. SPATTER

S:MD

August 20, 1938

AIRMAIL

Mr. N. Spatter
P. O. Box 1234
Long Beach, Cal.

Re: Case No. 12. Application of A. C. Kittell
Trustee, for the determination as abandoned
Well known as Spatter No. 1, located on
the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32-31N-11 $\frac{1}{2}$ W., Aztec Field,
San Juan County, and to pull casing and
plug same said well.

Dear Mr. Spatter:

Under date of August 13, the Commission was requested by Mr. H. C. Palmer, Attorney for the petitioner in the above matter, to dismiss the hearing without prejudice, to be re-filed upon new application at some future time, when the property rights to the casing in connection with said well are determined by the District Court. In today's mail, we received from Mr. Palmer formal motion for dismissal without prejudice, copy of which is enclosed herewith.

The Commission will act upon said request for dismissal when it meets and will, of course, dismiss the matter as requested. This is to notify you of the request for dismissal in order that you may not make a long and needless trip to Santa Fe.

The foregoing information was contained in a letter which was yesterday mailed to you at three different addresses. However, Mr. Palmer has given us your mailing address in Long Beach, and you are therefore being sent this letter, in the event those which were mailed you yesterday do not reach you.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston
Attorney

CBL:m

August 20, 1938

H. C. Palmer, Esq.
Farmington, N. M.

Re: Case No. 12. Spatter No. 1.

Dear Mr. Falmer:

This will acknowledge receipt of your letter of August 19, enclosing formal motion for withdrawal of the above case, in duplicate, for which we thank you.

This motion has been filed in the case and will be acted upon by the Commission at its next meeting.

There are no costs attendant to advising Mr. Spatter of the withdrawal of this application.

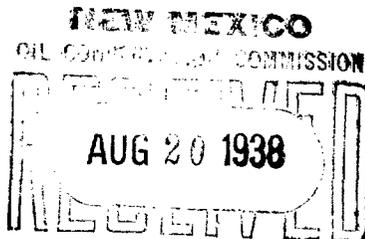
Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston
Attorney

CBL:r

H. C. PALMER
ATTORNEY AT LAW
FARMINGTON, NEW MEXICO



Aug. 19, 1938

Oil Conservation Commission
Santa Fe, New Mexico

Re: Case No 12 Spatter No 1

Gentlemen:

Received your letter of the 17th regarding the above matter. Had already written regarding the withdrawal of the application but perhaps I should file regular Motion in that respect and I therefore inclose Motion pertaining thereto.

In regard to service on Spatter, I thought it better for Mr Spatter to be notified by the Commission and if you believe it advisable kindly wire him and send me a ~~#####~~ statement of the costs involved which should be paid by Kittell. After some difficulty I find that Spatter's Address is P.O. Box 1234, Long Beach, California.

Thanking you for your help in this matter, I am

Very truly yours,

August 19, 1938

H. C. Palmer, Esq.,
Attorney at Law
Farmington, N. M.

Re: Case No. 12. The application of A. C. Kittell, Trustee, for the termination as abandoned, well known as Tratter No. 1, located on the NE 1/4 Sec. 32-31N-11 W., Aztec Field, San Juan County, and to pull casing and plug same said well.

Dear Mr. Palmer:

In response to your letter of August 18, Mr. W. Spatter has been notified of your request for dismissal of the above matter; a copy of which letter is enclosed for your information.

When the Commission meets, your letter will be acted upon formally and treated as a motion for dismissal, without prejudice.

Please permit me to congratulate you for so readily and correctly perceiving the theory of your case. Attorneys accustomed to governing all matters upon the theory of property rights alone so frequently fail to comprehend the procedure they should take in a matter such as this, but when one analyzes the matter, it is obvious that the Commission could not pass upon the property rights, over which it has no jurisdiction.

Very truly yours,

OIL CONSERVATION COMMISSION

By _____
Carl B. Livingston
Attorney

CHL:m

ILLEGIBLE

H. C. PALMER
ATTORNEY AT LAW
FARMINGTON, NEW MEXICO

Aug. 18, 1938

Oil Conservation Com.
Santa Fe, New Mexico

Re: Case No 12. The Application of A. C. Kittell, Trustee, for the determination as abandoned, Well known as Spatter No 1, located on the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 31 North of range 11 West, Aztec Field, San Juan County, and to pull casing and plug said Well.

Gentlemen:

I regret the delay in answering your letter of the 8th but Mr Kittell has been busy and away most of the time and I was unable to decide our course of procedure without going over the matter with him.

I finally got in touch with him this morning and we have decided to withdraw the entire application and we will probably go into District Court somewhat on the lines suggested and then when the rights of the various parties are fully decreed, proper application will be filed with your commission. You may therefore consider the application as withdrawn and notify Mr Spatter accordingly. If there are any costs in this matter which should be taken care of by Mr Kittell kindly notify me and we will take care of the matter.

I wish to thank you for your kindness and co-operation in this matter and hope to see you regarding the same the next time I am in Santa Fe which will probably be about the 12th of September

Very truly yours,

H. C. Palmer

August 19, 1938

Mr. N. Spitzer
Aztec, N. M.

Re: Case No. 12. The application of H. C. Pittell, Trustee, for the determination as abandoned, all known as letter No. 1, located on the NE 1/4 Sec. 37-31N-11 E., Aztec Field, San Juan County, and to pull casing and plug same said well.

Dear Mr. Spitzer:

Under date of August 18, the Commission was requested by H. C. Walker, Esq., attorney for the petitioner in the above matter, to dismiss the hearing without prejudice, to be re-filed upon new application at some future time, when the property rights to the casing in connection with said well are determined by the District Court.

The Commission will act upon said request for dismissal when it meets and will, of course, dismiss the matter as requested. This is to notify you of the request for dismissal in order that you may not make a long and needless trip to Santa Fe.

The writer is uncertain as to what address you may be reached, and is therefore sending this letter to three different addresses, and regrets exceedingly that he does not have your street address in Long Beach. All of these letters contain, on the envelope, a request for immediate forwarding, if necessary.

Very truly yours,
OIL COMMISSION

By

Carl F. Livingston
Attorney

CEL:m

cc: Addressee
c/o Dyke Noland
Hondad, Colo.
Long Beach, California

Annals

August 17, 1938

H. C. Palmer, Esq.,
Attorney at Law
Farrington, N. M.

Re: Case No. 12. The Application of A.C. Kittell, Trustee, for the determination as abandoned, Well known as Spatter No. 1, located on the NE 1/4 Sec. 32-31N-11W., Aztec Field, San Juan County, and to pull casing and plug same said well.

Dear Mr. Palmer:

Please refer to my letter of August 8 and advise what you wish to do, for the hearing in the above matter is only ten days away. So far, no amended petition, nor motion for withdrawal of the whole matter, nor motion for continuance has been received. Nor have we received any indication as to whether you wish to go ahead as the matter stands.

If you have in mind not to have the matter heard as is now set, you should give Spatter and any other interested parties sufficient notice in order that they may not make the trip to Santa Fe needlessly.

Very truly yours,

OIL CONSERVATION COMMISSION

By _____
Carl B. Livingston
Attorney

CBL:EM

F. S. Enclosed is a copy of the Order of Continuance, which re-sets the matter for August 27.

C. B. L.

ILLEGIBLE

August 6, 1938

H. C. Palmer, Esq.,
Attorney at Law
Farmington, N. M.

Re: Case No. 12. The Application of A. C. Kittell, Trustee, for the determination as abandoned, Well known as Spatter No. 1, located on the NE 1/4 SW 1/4 of Section 32, Township 31 North, Range 11 West, Aztec Field, San Juan County, and to pull casing and plug same said well.

Dear Mr. Palmer:

In reply to your letter of August 6, I see no reason why you may not file an amended petition and the case may still be heard on August 27. While the statute for service did not so require, we did serve Mr. Spatter notice of hearing by registered mail, regarding the above section of well, which notice was self-explanatory.

We did not know Mr. Spatter's address and sent a registered letter to Aztec, in care of Mr. Lyke Nolana, and a similar letter addressed to Bonada, Colorado, with a request to the postmaster to forward to the proper address, if necessary. Mr. Spatter did receive the notice in Lam. Beach, but we do not know his address in that city. He wired the Commission, under date of July 21, for a continuance, and on the 22nd, the Commission continued the case to August 27, at 9:00 A. M.

You still have plenty of time to file your amended petition and to send Mr. Spatter a copy. In that Mr. Spatter has already been served with notice by publication and has indicated that he has received it, no further publication is necessary, in my opinion, if you desire to proceed as matters are.

Your attention, however, is directed to the jurisdiction of the Commission. The Commission's jurisdiction extends to all matters of conservation and waste. It does not, however, as you of course are aware, extend to the determining of ownership or property rights. That is for another tribunal.

In the petition Mr. Smith filed before the Commission, he seemed to stress his client's rights to the pulling of the casing upon ownership, by virtue of some contract of trusteeship. All of this is obviously not within the jurisdiction of the Commission to determine.

I cannot tell you how the Commission would adjudge these matters, for the Commission alone can pass upon them, but in a similar case

2.

which was before the Commission late last month, the Commission held as follows: First, the application for abandonment was denied upon the ground that the evidence showed that operation of the well was merely suspended. Second, the application for pulling the casing involved ownership and was denied in that the Commission is not the tribunal in which to determine property rights or damage therefor in lieu of such property.

While this matter is for you, as attorney, to use your own judgment, it would seem to me, in the light of the case which has just been determined, that the Spatter matter is a bit premature, in that the matter of property rights has not been adjudicated in the forum having jurisdiction thereof. If you are able satisfactorily to show the Commission that the Spatter well is abandoned and it so holds that it is abandoned, and if you have your property rights adjudicated, then it would seem to me that the way would be clear for the Commission to rule favorably upon the application to extract the casing. However, if it should develop that the well is not abandoned, and even though you had established your property rights in the casing, obviously, in accordance with the order handed down in the case above referred to, the Commission would not sustain your order to pull the casing, because that would ruin the well. In other words, it might be likened to Mark Twain's dog--if he owned half a dog, he would just kill his half.

It would seem to me that if you are not sure of making good on the application for abandonment, your resort is to the District court for determining of property rights in the casing, and you should have a determination in point of damages as the equivalent of the casing, in lieu of the casing. However, the foregoing are my own personal views and have nothing to do with what the Commission may or may not decide, for it is a court and decides for itself.

As to the petition which Mr. Claude Smith left here, it was not altogether clear as to whether he intended to file it for a setting, or whether he merely submitted it for examination. However, in that he had been to the office once before in discussion of this very matter, and the last time brought the petition, saying that he would call back, and failed to do so, we assume that he intended to have the petition filed. If you wish to withdraw the whole matter and start de novo, please indicate as soon as possible.

Under separate cover, you are being sent the Commission's circular No. 1, and your attention is directed to Section 5, Chapter 72, Laws of 1935, which of course, you have in your office.

ILLEGIBLE

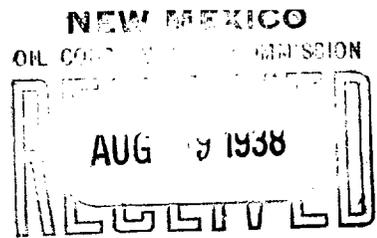
Very truly yours,

OIL CONSERVATION COMMISSION

By

Carl B. Livingston
Attorney

CBL:m



H. C. PALMER
ATTORNEY AT LAW
FARMINGTON, NEW MEXICO

Aug. 8, 1938

Oil Conservation Commission,
Santa Fe, New Mexico

Re: Application of A. C. Kittell
to have Spatter Well No 1 on NE $\frac{1}{4}$ SW $\frac{1}{4}$
32-31-11, San Juan Co., declared
abandoned, pull casing and plug

Gentlemen:

Mr Claude T. Smith, attorney of Aztec, has taken an appointive position with the C.C.C. and has asked me to handle the above matter. I understand that Mr Smith presented an application to you to see if the same was satisfactory and that the same is not signed. I am not familiar with your rules and wonder if it would be better for me to have the present application withdrawn and file a new one and have a new hearing set.

In the event you believe the hearing can be had, on the present application, by amending the application, I will be perfectly willing to go ahead with the hearing as scheduled for Aug. 27, 1938. Kindly let me know by return mail, your attitude and desire in the matter as I understand no notice has been served on Spatter. I have notice (copy) by the commission setting July 26 as date of hearing and could change the date to correspond with your order. Do you wish the notice published in the newspaper or is it sufficient to get personal service on Spatter at least 10 days before the hearing? If published, I understand personal service is not necessary but that it must be published once in this County and also once in a Santa Fe County, newspaper.

Regarding the jurisdiction of the Commission, I am inclined to agree that the only issue before you should be whether or not the well is abandoned and should be plugged. If, at a hearing, your commission decides the well should be plugged; it would appear to me that Kittell could then pull the casing and plug the well (under your supervision) and then Kittell and Spatter may have to settle their respective rights to the casing in the District Court. I expect to be in Santa Fe on business not later than the 28th and if you wish to hold up action and have a new application filed I can prepare it and present to the commission at that time and have a hearing set as soon thereafter as can be had after service. I will go over the file more fully and be more familiar with the matter by the time I hear from you

Very truly yours,

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	NIGHT LETTER
NIGHT LETTER	SHIP RADIOGRAM

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

COPY OF WESTERN UNION TELEGRAM

Santa Fe, N. M.
July 22, 1938

Hon. Claude Smith
Aztec, N. M.

Case twelve Spatter well continued to August twenty-
seventh nine AM

OIL CONSERVATION COMMISSION

CHG OIL CONSERVATION COMMISSION

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	NIGHT LETTER
NIGHT LETTER	SHIP RADIOGRAM

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

CHECK
ACCT'G INFMN.
TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Santa Fe, N. M.
July 22, 1938

N. Spatter
Long Beach, Calif.

Retel Case twelve Spatter well continued to August twenty-
seventh nine AM

OIL CONSERVATION COMMISSION

COLLECT

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

WESTERN UNION

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

SYMBOLS

DL = Day Letter

NM = Night Message

NL = Night Letter

LC = Deferred Cable

NLT = Cable Night Letter

Ship Radiogram

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination.

Received at 52 Lincoln Avenue (On the Plaza), Santa Fe, N. Mex.

VC4 33 NL=LONGBEACH CALIF 21

CARL B LIVINGSTON, OIL CONSERVATION COMMISSION=
ATTORNEY

RE LETTER JUNE 29 KITTELL SPATTER HEARING SET FOR JULY 26 WILL
APPRECIATE POSTPONEMENT FOR TEN DAYS OR MORE AS CANNOT BE IN
SANTAFE SOONER WIRE COLLECT OR WRITE DECISION BOX 1234 HERE=
N SPATTER.

29 26 1234.

THERE IS NO DEPENDABLE SUBSTITUTE FOR WESTERN UNION TIME

July 13, 1938

The Farmington Times-Hustler,
Farmington, N. M.

Re: N. Spatter Well No. 1 on NE $\frac{1}{4}$ SW $\frac{1}{4}$
32-31N-11W, San Juan County.
Application of A. C. Kittell,
Trustee, to have well declared
abandoned, to pull casing and
plug well

Gentlemen:

Under date of June 29 you were sent a notice of publication in the above captioned matter. Your affidavit of publication has not yet been received. The object of the publication was for service by publication and your affidavit of such publication is essential to the proof of such service.

Very truly yours,

OIL CONSERVATION COMMISSION

By

Carl E. Livingston
Attorney

CBL:b

July 13, 1938

New Mexico Examiner,
Santa Fe, N. M.

Re: N. Spatter Well No. 1 on NE¹SW¹
32-31N-11W, San Juan County.
Application of A. C. Kittell,
Trustee, to have well declared
abandoned, to pull casing and
plug well

Gentlemen:

Under date of June 29 you were sent a notice of publication in the above captioned matter. Your affidavit of publication has not yet been received. The object of the publication was for service by publication and your affidavit of such publication is essential to the proof of such service.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston
Attorney

CBL:b

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

Pursuant to Chapter 72, Session Laws of 1935, State of New Mexico, by which Act the Oil Conservation Commission of New Mexico was created, vesting said Commission with the jurisdiction and authority over all matters relating to the conservation of oil and gas in this State and of the enforcement of all provisions of said Act, notice is hereby given that a public hearing will be held at the Capitol, Santa Fe, New Mexico, on the 26th day of July, 1938, at 10:00 A.M., for the purpose of considering the following:

CASE NO. 12.

The application of A. C. Kittell, Trustee, for the determination as abandoned, well known as Spatter No. 1, located on the NE SW of Section 32, Township 31 North, Range 11 West, Aztec Field, San Juan County, and to pull casing and plug same said well.

Attorney for the applicant is Claude T. Smith, Aztec, New Mexico.

Any person having any interest in the subject of the said hearing shall be entitled to be heard.

Given under the seal of said Commission at Santa Fe, New Mexico, on June 28, 1938.

**OIL CONSERVATION
COMMISSION.**

By **CLYDE TINGLEY,**
Governor.

By **FRANK WORDEN,**
Commissioner of Public Lands.

By **A. ANDREAS,**
State Geologist.

(SEAL of Commission)

Pub. July 1, 1938.

**NOTICE FOR PUBLICATION
STATE OF NEW MEXICO
OIL CONSERVATION COM-
MISSION**

Pursuant to Chapter 72, Session Laws of 1935, State of New Mexico, by which Act the Oil Conservation Commission of New Mexico was created, vesting said Commission with the jurisdiction and authority over all matters relating to the conservation of oil and gas in this State and of the enforcement of all provisions of said Act, notice is hereby given that a public hearing will be held at the Capitol, Santa Fe, New Mexico, on the 26th day of July, 1938, at 10:00 A. M., for the purpose of considering the following:

CASE NO. 12.

The application of A. C. Kittell, Trustee, for the determination as abandoned, well known as Spatter No. 1, located on the NE SW of Section 32, Township 31 North, Range 11 West, Aztec Field, San Juan County, and to pull casing and plug same said well.

Attorney for the applicant is Claude T. Smith, Aztec, New Mexico.

Any person having any interest in the subject of the said hearing shall be entitled to be heard.

Given under the seal of said Commission at Santa Fe, New Mexico, on June 28, 1938.

**OIL CONSERVATION
COMMISSION,**

By **CLYDE TINGLEY,**
Governor.

By **FRANK WORDEN,**
Commissioner of Public
Lands.

By **A. ANDREAS,**
State Geologist.

(SEAL of Commission) 7-7-38

Published Friday, July 8, 1938,
in the Farmington Times Hustler,
Farmington, New Mexico.

C. B. S.

Post Office Department

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. **6365**

INSURED PARCEL

No. _____



POSTMARK OF DELIVERING OFFICE

AND DATE OF DELIVERY

Return to **COMMISSIONER OF PUBLIC LANDS**

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

SANTA FE,

NEW MEXICO.

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

[Handwritten Signature]
(Signature of addressee)

(Signature of addressee's agent)

Date of delivery, **JUL 5 - 1938**, 193

Form 3811



OFFICERS:

E. E. Johnson, President
H. L. Bigler, Vice President
J. J. Downey, Sec.-Treas.

DIRECTORS:

E. E. Johnson
J. J. Downey
H. L. Bigler
L. E. Teague
S. R. Coon

McElmo Oil Company

CORTEZ, COLO.

July 2nd, 1938.

Mr Carl B. Livingston, Att'y.,

Oil Conservation Commission,

Santa Fe, New Mexico,

Dear Sir:

Replying to yours of the 29th ult, N. Spatter is drilling a well at Bondad, Colorado, when not there he is in Long Beach, California. Do not have his Long Beach Street address but a letter addressed to him at Bondad, Colorado, care of Dyke Noland would be forwarded, if need be.

Very truly yours,



C. B. S.

Post Office Department

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. _____

INSURED PARCEL

No. _____

COMMISSIONER OF PUBLIC LANDS

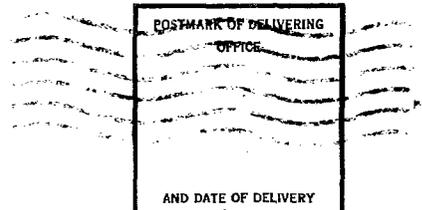
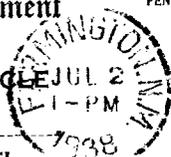
Return to _____

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

SANTA FE,

NEW MEXICO.



RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Hamington Lewis Keetter
(Signature or name of addressee)

W. Keetter, Agt.
(Signature of addressee's agent)

Date of delivery, _____

Form 3811

U. S. GOVERNMENT PRINTING OFFICE

FARMINGTON TIMES HUSTLER

... the Voice of San Juan County, NEW MEXICO CONSERVATION COMMISSION



G. L. BUTLER, Business Manager
ORVAL RICKETTS, Editor
WM. BUTLER, News Editor

FARMINGTON, NEW MEXICO

JUL 5 1938

Jul 1938

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

Attention Carl B. Livingston, Atty.

Dear Mr. Livingston:

This will acknowledge with thanks receipt of your order of June 29th for publication re H. Spatter Well No. 1.

This publication will appear in the issue of Friday, July 8th, of the Times Hustler. Your instructions as to affidavit of publication, statement, etc., will be followed.

Yours very truly,

TIMES HUSTLER

per

THE RIGHT MEDIUM

To Reach an Immense Western Empire

The Farmington Times Hustler published weekly, is the only newspaper at Farmington, New Mexico, the headquarters of the San Juan Oil Fields, location of the Munoz-Continental Company refinery, terminus of the Midwest Refining Company oil pipe line, gateway to the immense Navajo Indian Reservation, and commercial center of San Juan County.

Farmington, besides being the terminal point of the Denver & Rio Grande Western Railroad is located at the junction of three fertile river valleys, and its trade territory is exceptionally large, ranging from a radius of thirty miles on north and east, to a hundred miles on south and west.

The Times Hustler guarantees a larger sworn circulation than any other weekly newspaper in the entire San Juan Basin, an inland Empire comprising portions of New Mexico, Utah, Colorado and Arizona, and also guarantees a lower advertising rate, per hundred circulation, than any other Basin weekly paper. Sworn statements of circulation and advertising rate card furnished upon application.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

P. O. Box 188
Farmington, New Mexico
July 1, 1938

Mr. Carl B. Livingston,
Attorney, Oil Conservation Comm.,
Santa Fe, New Mexico.

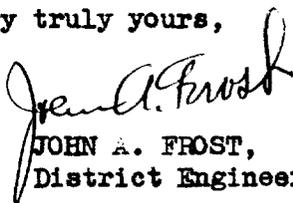
Subject: N. Spatter Well No. 1,
NE SW, Sec. 32-31N-11W.
San Juan County, N. M.

Dear Mr. Livingston:

In reply to your letter of June 29 asking
for the address of N. Spatter:

Mr. Spatter's mailing address is Aztec, New
Mexico. However, it is suggested that the postmaster
be requested to forward letters, and it might be well
to send copies to Dyke Noland, Aztec, as Mr. Noland
is the driller in charge of Spatter's operations near
Bondad, Colorado.

Very truly yours,


JOHN A. FROST,
District Engineer.

June 29, 1938

Mr. W. Spatter,
Aztec, N. M.

Re: N. Spatter Well No. 1 on NE¹SW¹
32-31N-11W, San Juan County.
Application of A. C. Kittell,
Trustee, to have well declared
abandoned, to pull casing
and plug well

My dear Mr. Spatter:

Enclosed is a copy of Notice of Hearing
regarding the above captioned well, which notice is
self explanatory.

Very truly yours,

OIL CONSERVATION COMMISSION

By _____
Carl B. Livingston
Attorney

CBL:b
Enc.

REGISTER-RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY

June 29, 1938

Mr. J. E. Coon,
Aztec, N. M.

Mr. L. E. Teague,
Aztec, N. M.

Re: N. Spatter Well No. 1 on
NE¼SW¼ 32-31N-11W, San Juan
County. Application of A. C.
Kittell, Trustee, to have well
declared abandoned, to pull
casing and plug well

Gentlemen:

You are sureties upon the drilling bond of N. Spatter in connection with the above designated well. Application is filed before the Commission by A. C. Kittell, Trustee, for the purpose of determining the status of this well as abandoned and for the further purpose to pull casing and plug said well.

Please advise by return mail the present address of N. Spatter in order that he may be notified of the hearing in said matter set for July 26.

Very truly yours,

OIL CONSERVATION COMMISSION

By _____

Carl B. Livingston
Attorney

CBL:b

June 29, 1938

Mr. John Frost,
U. S. G. S.,
Farmington, N. M.

Re: N. Spatter Well No. 1 on NE $\frac{1}{4}$ SW $\frac{1}{4}$
32-31N-11W, San Juan County.
Application of A. C. Kittell,
Trustee, to have well declared
abandoned, to pull casing and
plug well

My dear Mr. Frost:

The above designated well is to be tried by the Commission to determine its status as abandoned on July 26. I wish you would be good enough to supply this office with the address of N. Spatter, if you should know where he may be reached.

Very truly yours,

OIL CONSERVATION COMMISSION

By

Carl B. Livingston
Attorney

CBL:b

June 29, 1938

Claude T. Smith, Esq.,
Aztec, N. M.

Re: N. Spatter Well No. 1 on NE $\frac{1}{4}$ SW $\frac{1}{4}$
32-31N-11W, San Juan County.
Application of A. C. Kittell,
Trustee, to have well declared
abandoned, to pull casing
and plug well

Dear Mr. Smith:

The Commission has acted upon your application in the above captioned matter and has ordered hearing on July 26 at 10 A. M. Enclosed is copy of the Commission's order. Please serve this copy upon Mr. N. Spatter. Section 5, Chapter 72, provides for service. Service must be completed ten days prior to the hearing. We have not the present address of said party.

You will note that the notice of hearing specifies the location as indicated in the caption of this letter. The records of the Commission do not show the well as indicated in the caption of your petition. You indicate Section 2 of the same Township and Range, which is taken as perhaps a typographical error. The drilling bond covering this well is as indicated in the caption. Inasmuch as there is only one Spatter No. 1 in Township 31N, Range 11W, Spatter could not be misled as to what well you have in mind.

The matter in your application which the Commission has jurisdiction to determine is that one pertaining to abandonment. All of the other matter which pertains to trusteeship is not within the jurisdiction of the Commission to determine; that is for your District Court. Either before or soon after the hearing you should go into the District Court and have those matters determined, then present a certified copy of the Court's decree. If the Commission holds that the well is abandoned, your applicant could be recognized as the proper party to pull the casing in question. He would,

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of course, be required to do a plugging job under the supervision of a field representative of the Commission. The idea is this: The Commission is a court of limited jurisdiction. Its jurisdiction, when proper service is made, is to determine issues such as abandonment and matters of waste, but it does not have jurisdiction to determine property rights and the existence of trusteeships; that is for your District Court.

Very truly yours,

OIL CONSERVATION COMMISSION

By _____

Carl B. Livingston
Attorney

CBL:b
Enc.

June 29, 1938

REGISTER - RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY

The Farmington Times-Hustler,
Farmington, N. M.

Re: N. Spatter Well No. 1 on NE¹SW¹
32-31N-11W, San Juan County.
Application of A. C. Kittell,
Trustee, to have well declared
abandoned, to pull casing
and plug well

Gentlemen:

Enclosed herewith please find Notice for
Publication which you are kindly requested to publish
once in your next issue, not later in any case than
Friday, July 15. Please furnish the Commission
with a copy of your newspaper containing this
publication.

Immediately upon completion of your publi-
cation, 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:b
Enc.

June 29, 1938

New Mexico Examiner
Santa Fe, N. M.

Re: N. Spatter Well No. 1 on
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 32-31N-11W, San Juan
County. Application of A. C.
Kittell, Trustee, to have well
declared abandoned, to pull
casing and plug well

Gentlemen:

Enclosed herewith please find Notice for
Publication which you are kindly requested to publish
once in your next issue, not later than July 15.
Please furnish the Commission with a copy of your
newspaper containing this publication.

Immediately upon completion of your
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:b
Enc.

COPY

July 30, 1937.

Mr. W. Spatter,
Astec, New Mexico.

Re: Well on NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32,
T. 31 N., R. 11W.

Dear Mr. Spatter:

The Commission's scout reports that your well, upon the above location, is full of water and apparently abandoned. Please advise immediately what you intend to do about plugging and proper approved abandonment.

A copy of this letter is being sent to your two sureties upon your bond.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston
Attorney

GBL:CC

cc-Mr. L. E. Teague, Astec, N.M.
cc-Mr. S.R. Coon, " "
cc-Mr. Frank Horn, "