

Correspondence

Case 16

September 28, 1939

C
O
P
Y

Honorable Roy Yarbrough
State Oil & Gas Inspector
Oil Conservation Commission
Hobbs, New Mexico

Re: Shell Oil Co., Inc., Case No. 16, Order No. 200, allowing special spacing for well "to be known as Endura 'A' No. 3, at a location 330 feet from South line and 125 feet from West line of SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12-21S-35E., Lea County."

My dear Mr. Yarbrough:

In reply to your letter of September 25, enclosed please find copy of the Commission's order with reference to the special spacing of the well of Shell Oil Company, Inc., noted in the caption. On checking the Notice of Intention to Drill which you enclosed in triplicate, the location is the same although described somewhat differently, but it amounts to exactly the same thing.

Returned herewith is the Notice of Intention to Drill in triplicate for your action.

Very truly yours,

OIL CONSERVATION COMMISSION

By _____
Carl B. Livingston
Attorney

CBL:ik
Encls.

New Mexico
Oil Conservation Commission

Santa Fe, New Mexico

John E. Miles

GOVERNOR ~~W. W. WELLS~~ Chairman
ACTING STATE GEOLOGIST A. ANDREAS, Member
STATE LAND COMMISSIONER FRANK WORDEN, Sec'y



Hobbs, New Mexico
September 25, 1939

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

In re: Shell Oil Company, Incorporated
State "A" Well No. 3

Dear Mr. Livingston:

I am holding notice of Intention to
Drill a well, by the Shell Oil Company, Incorporated,
on Section 12, Township 21S and Range 35E, Lunice Field.

Will you please advise me if the Oil
Conservation Commission, at the meeting held in September
granted permission to drill this well. The foot spacing
is 2310 feet south of the north lines and 2515 feet west
of the east line.

Thanking you for an early reply, I am,

Very truly yours,

Ray Yarbrough

Ray. C. Yarbrough
Oil and Gas Inspector
Oil Conservation Commission

ROY:dsg

NEW MEXICO OIL CONSERVATION COMMISSION
SANTA FE, NEW MEXICO

September 16, 1939

C
O
P
Y

Honorable J. O. Seth
Attorney at Law
Santa Fe, New Mexico

Re: Application of Snell Oil Company, Inc.,
for special spacing, Case No. 16.

Dear Judge Seth:

Enclosed please find two copies of the Commission's order in the above captioned matter.

Very truly yours,

OIL CONSERVATION COMMISSION

By _____
Carl B. Livingston
Attorney

CBL:lk
Enc.

August 18, 1939

Hobbs Daily News-Sun
Hobbs, New Mexico

Gentlemen:

There is enclosed herewith a Notice for Publication, which you are kindly requested to publish once immediately. You are also requested to furnish this Commission with a copy containing this publication.

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

Upon sending to the Commission your affidavit of publication, please send your statement in duplicate and enclosed purchase voucher, also in duplicate.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston
Attorney

CBL:ik
Encls.

August 18, 1939

New Mexico Examiner
Santa Fe, New Mexico

Gentlemen:

There is enclosed herewith a Notice for Publication, which you are kindly requested to publish once immediately. You are also requested to furnish this Commission with a copy containing this publication.

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

Upon sending to the Commission your affidavit of publication, please send your statement in duplicate and enclosed purchase voucher, also in duplicate.

Very truly yours,

OIL CONSERVATION COMMISSION

By _____
Carl B. Livingston
Attorney

CBL:ik
Encls.

August 18, 1939

Honorable Roy Yarbrough
Oil Conservation Commission
Hobbs, New Mexico

Re: Application of Shell Oil Company
for special spacing to drill a well
known as Endura "A" No. 3, at a loca-
tion 330 ft. from S. Line and 125 Ft.
from W. Line of SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12-21S-35E.,
Lea County.

Dear Mr. Yarbrough:

Enclosed please find Notice of Hearing in the
above captioned matter set for September 18 at Santa
Fe.

Please call at the Hobbs Daily News-Sun to see
that that paper publishes the notice which I am
today sending it and to urge them to be sure to
return their publisher's affidavit. I have had con-
siderable difficulty in getting that paper to send
the publisher's affidavit promptly. It is all
important for jurisdiction of the Commission
sitting in its quasi judicial capacity, so please
keep an eye on this paper to see that publication
is made and the publisher's affidavit made and
forwarded to Santa Fe.

Very truly yours,

OIL CONSERVATION COMMISSION

BY

Carl B. Livingston
Attorney

CBL:ik
Enc.

August 18, 1939

Honorable J. O. Seth
Attorney at Law
Santa Fe, New Mexico

My dear Judge: Re: Application of Shell Oil
Company for special spacing
to drill a well known as
Endura "A" No. 3, at a loca-
tion 330 ft. from S. Line
and 125 Ft. from W. line
of SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12-21S-35E.,
Lea County.

Enclosed please find Notice of Hearing in
the above captioned matter set for September 18
at Santa Fe.

Very truly yours,

OIL CONSERVATION COMMISSION

By _____
Carl B. Livingston
Attorney

CBL:ik
Enc.

John E. Miles

*****-

August 3, 1939

Honorable J. O. Seth
Santa Fe, New Mexico

Re: The application of Shell Oil
Company for permission to
drill a well at a location 330
feet from the South line and
125 feet from the West line of
SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12-21S-35E, Lea
County, New Mexico

Dear Mr. Seth:

This is to acknowledge the receipt of the petition of the Shell Oil Company in the above captioned matter submitted in your letter of July 31. The petition is excellently drawn and will be presented to the Commission for its action the next time the Commission meets. The middle of September will be too close for both the action of the Commission and for publication as required by law.

It will be suggested to the Commission that September 18 be set as date of hearing.

Very truly yours,

OIL CONSERVATION COMMISSION

By _____
Carl B. Livingston
Attorney

CBL:mc

SETH AND MONTGOMERY
ATTORNEYS AND COUNSELORS AT LAW
111 SAN FRANCISCO ST.
SANTA FE, NEW MEXICO

J. O. SETH
A. K. MONTGOMERY

July 31, 1939.

Oil Conservation Commission,
Santa Fe, New Mexico.

Gentlemen:

Enclosed please find the formal application of Shell Oil Company for permission to drill a well at a location 330 feet from the South line and 125 feet from the West line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 21 South, Range 35 East, Lea County, New Mexico. In this connection, reference is made to the company's letter to you, dated June 26th, and your reply of July 6th.

Very truly yours,



JOS:IG

July 6, 1939

Shell Oil Company, Inc.
Box 1509
Midland, Texas

Re: Proposed location, Shell Oil Co., Inc., as follows: Endura "A" No. 3 at a location 330 feet from the South line and 125 feet from the West line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 12, Township 21 South, Range 35 East.

ATTENTION: Mr. W. C. Davis, Land Department,
Texas-Gulf Area.

Gentlemen:

In reply to your letter of June 26 regarding the above captioned matter, the location is contrary to existing orders of the Commission adopted by the Commission sitting in its quasi judicial capacity. Any location contrary to existing orders can only be authorized by a proceeding before the Commission sitting in its judicial capacity. You should therefore file your court application before the Commission. When the Commission considers your application, it may call a hearing upon same, naming the date, place and purpose of such hearing.

The waivers of which you speak will materially help the Commission in arriving at its decision. The waivers, however, should be introduced in evidence at the hearing. A copy of them, however, should be attached as exhibits to your court application.

The waivers will be held pending your instructions to return them to you; or, if you prefer, you may leave them in the files of this matter and introduce them into evidence at the time of the hearing. It is assumed that you have retained copies thereof in case you wish to attach them as exhibits in your court application.

Very truly yours,

OIL CONSERVATION COMMISSION

By _____
Carl B. Livingston
Attorney

CBL:ik

COPY

July 15, 1939

Stubbsen, McRae & Sealy
Attorneys at Law
Petroleum Building
Midland, Texas

Re: Proposed location, Shell Oil Company, Inc.,
as follows: Endura "A" No. 3 at a location
230 feet from the South line and 125 feet
from the West line of the SW/4 of the NE/4
of Section 12, Township 21 South, Range
35 East, Lea County, New Mexico.

ATTENTION: Hamilton P. Deane, Esq.

Gentlemen:

In response to your letter of July 13, you as Texas
counsel for your client are most welcome to present your
matter before the Commission for your client without
association with resident counsel, if you so prefer. This
question has been raised several times before, especially
in connection with a very large hearing involving all of
the operators in a given area to appear before the Com-
mission from all over the Southwest with their home counsel.

Your petition to the Commission is drawn somewhat
like a complaint. No particular form is required, other
than to state your case clearly and pray for the order you
seek. The petition should be sworn to.

When the Commission has considered your petition for
the purpose of ordering a hearing, a definite time and place
is specified in the order and the order published.

Under separate cover you are being sent Circular 1,
General Rules, which also contains the Conservation Law.
For hearings, your attention is drawn to Sections 5 and 15
of the Conservation Law therein contained.

COPY

Stubbegan, McRae & Sealy

-2-

7/15/39

You are also being sent under the same separate cover Circular 3, Rules applicable to Lea County, and also special spacing rules for fields in that county.

Very truly yours,

OIL CONSERVATION COMMISSION

By

Carl S. Livingston
Attorney

CBL:ik

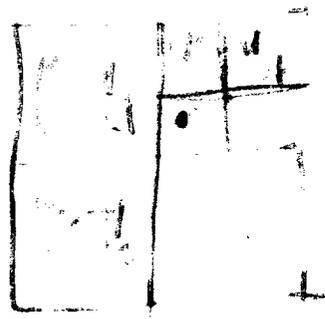
(C.S.)

SW N² (12) - 210 - 220

(B-1399) and ~~116~~ 116
there is a ...

a-1523 - 1111
SW. Part.

B-1400 - 1111
Part.



STUBBEMAN, MCRAE & SEALY
ATTORNEYS AT LAW
PETROLEUM BUILDING
MIDLAND, TEXAS

FRANK STUBBEMAN
HAMILTON E. MCRAE
TOM SEALY
BOYD LAUGHLIN

July 13, 1939

Re: Proposed location, Shell Oil Company, Inc., as follows: Endura "A" No. 3 at a location 330 feet from the South line and 125 feet from the West line of the SW/4 of the NE/4 of Section 12, Township 21-South, Range 35-East, Lea County, New Mexico.

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

Dear Mr. Livingston:

Mr. W. C. Davis of the Land Department of Shell Oil Company has referred to us the above matter for handling, and in the file we find your letter to Shell for the attention of Mr. Davis, dated July 6, 1939. There are a number of questions which we should like to ask you regarding this situation and there is certain material which we should like to secure.

In the first instance, we are familiar with the fact that the courts of your State do not permit non-resident attorneys to practice except in isolated cases and then, apparently, at the discretion of the particular court. Your reference to the Conservation Commission sitting as a court causes us to wonder about the policy of the Commission with reference to non-resident attorneys practicing before it. Shell will expect us to handle this matter before the Commission and we are wondering whether it will be necessary that we associate ourselves with a New Mexico attorney.

If the Conservation Commission issues copies of its rules and regulations and existing orders with reference to spacing, we would appreciate being furnished with a copy of such rules and regulations; if there is no publication of these matters we should like to have copies of the existing spacing order affecting the area where the above location is requested. We understand from your letter that the Commission will sit as a court upon this application, and we wonder if its procedure is exactly like that of one of your district courts since the statutes applicable to the Conservation Commission do not fully reveal to us everything we should like to know about the procedure before the Commission sitting in its judicial capacity.

If there is any charge in connection with securing the rules and regulations, or a copy of the spacing order, we shall be glad to remit promptly to you in this connection. Having had no experience with the Conservation Commission of your State, we have endeavored to ask all the pertinent questions, but if there is any information which you think we should have about this application and the hearing, we will appreciate very much your volunteering such information.

Thanking you very much for your attention in this regard, we are

Yours very truly,

STUBBEMAN, MCRAE & SEALY

By *Hamilton E. McRae*
Hamilton E. McRae.

HEMCR:lw

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.

(36)

WESTERN UNION

1201

SYMBOLS

DL = Day Letter
NL = Night Letter
LC = Deferred Cable
NLT = Cable Night Letter
Ship Radiogram

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

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

1930 JUL 6 AM 10 43

VE51 42/45 SER=MIDLAND TEX 6 1026A

A ANDREAS=

NEWMEXICO CONSERVATION COMMISSION

MF-1-1 REFER TO OUR LETTER JUNE 26 AND ADVISE IF WE CAN SECURE PERMIT TO DRILL ENDURA A-3 330 FROM SOUTH AND 125 FROM WEST LINE OF SW/4 OF NE/4 SECTION 12, TWP. 21-SOUTH, RANGE 35-EAST. ANSWER WESTERNUNION COLLECT=

SHELL OIL CO INCORPORATED R D MONKRESS.

MF-1-1 26 UMENDURA A-3 330 125 SW/4 NE/4 12 TWP 21-SOUTH 35-EAST.

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM <input checked="" type="checkbox"/>	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, NEW MEXICO
JULY 6, 1939

R D MONKRESS
SHELL OIL COMPANY, INC.
MIDLAND, TEXAS

MATTER REQUIRES HEARING. LETTER SETTING OUT DETAILS

IN MAIL

FRANK WORDEN, SECRETARY
OIL CONSERVATION COMMISSION

(Send Collect)

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