

BEFORE THE OIL CONSERVATION COMMISSION

STATE OF NEW MEXICO

IN THE MATTER OF THE PLUGGING
OF A WELL FOR OIL AND GAS
SITUATE IN THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SEC-
TION 22, TOWNSHIP 12 NORTH,
RANGE 22 EAST, N. M. P. M.,
SAN MIGUEL COUNTY, NEW MEXICO.



No. _____

PETITION FOR CONSENT TO PLUGGING
OF ABANDONED WELL

Comes now Iverson Tool Company, by its attorneys,
Atwood & Malone, and respectfully states to the Commission:

1. That on or about October 1, 1932 Cabra Springs
Oil and Gas Company, a corporation, began the drilling of
a wild cat well for oil or gas upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section
22, Township 12 North, Range 22 East, which well was general-
ly known as the Cabra Springs Oil and Gas Company - North
American Investment Company No. 1.

2. That during the period from spudding in of
said well to about July 1, 1936 by intermittent drilling
operations said well was drilled to a depth of approximate-
ly 4000 feet. That subsequent to July 1, 1936 said well was
shut down for long periods of time and since that date no
regular or continuous drilling operations have been carried

therein. That during the fall of 1937 the drilling of said well was resumed and it was drilled approximately 200 feet. That prior to December 1, 1937 drilling operations were suspended thereon at a total depth of approximately 4250 feet.

3. That no oil or gas has been encountered in the drilling of said well. That your petitioner is informed and believes, and upon such information and belief alleges, that the drilling of said well was abandoned by the said Cabra Springs Oil and Gas Company prior to December 1, 1937, and that no work of any kind has been performed thereon since that date. That your petitioner is further informed and believes, and upon such information and belief alleges, that Cabra Springs Oil and Gas Company, which drilled and was formerly the owner of said well, is now hopelessly insolvent and is now and will be unable to continue the drilling of said well. That by reason of the matters and facts hereinafter alleged said corporation no longer owns the tools, rig, casing and other equipment used in the drilling of said well and will be unable to carry on any further operations thereon. That by reason of the foregoing facts the well above described is an abandoned well, and that its status as such should be adjudicated by this Commission and its plugging ordered as herein prayed.

4. That by reason of having furnished certain materials for use in said well, your petitioner, Iverson

Tool Company, a corporation, became entitled to a lien against the said well as provided by law and filed in the County Clerk's office in San Miguel County, New Mexico, on July 20, 1935, its claim of lien thereupon. That within the time required by law your petitioner instituted an action in the District Court of San Miguel County in foreclosure of said lien, which action was styled Iverson Tool Company, a corporation, plaintiff, vs. Hershfield Oil Development Company, a corporation, and Cabra Springs Oil and Gas Company, a corporation, defendants, same being No. 11841 on the docket of said Court. That North American Investment Company, a corporation, intervened in said foreclosure proceeding as the owner of the fee simple title to the lands upon which said well was situate and as lessor thereof for oil and gas purposes. That upon trial of said cause, a decree was entered in favor of plaintiff and as against the defendants and intervenor above named. That your petitioner is informed, and upon such information and belief alleges, that said intervenor and the defendants in said cause are the only persons in any manner interested in said well.

5. That in the final judgment rendered in said cause, the Court appointed W. G. Ogle of Las Vegas, New Mexico, special master in said cause and he was ordered, upon default in the payment of said judgment, to sell all and singular "the fixtures, machinery, tools, equipment, appli-

ances and casing now located at or in said well or used and employed in the operation thereof, wherever same may be now located, specifically including all casing which has been placed in said well in the process of the drilling thereof". That a certified copy of the Final Judgment of the Court in said cause is attached hereto, made a part hereof, and for purpose of reference marked Exhibit "A".

6. That the defendants and intervenor in said cause defaulted in the payment of the judgment granted by the Court and after giving notice as required by law, the said W. G. Ogle did on the 1st day of May, 1939, offer for sale and sell at public sale all and singular the property which is described in the certified copy of said special master's bill of sale which is attached hereto, made a part hereof, and for purpose of reference marked "Exhibit "B". That your petitioner was the highest and best bidder at said sale and was declared the purchaser of the property so sold and that thereupon said special master executed and delivered to this petitioner, after confirmation of said sale by the Court, the special master's bill of sale attached hereto.

7. That it is provided in said bill of sale that the purchaser shall have "the right to go upon the lands on which the property above described is situate

and to reduce the same to possession and to remove same therefrom and to take all necessary steps incident to obtaining the possession and removal of all of said property and the full benefits incident to the ownership thereof, all as provided by the Court in its judgment and order in said cause."

8. That by reason of the foregoing, the well above described is now owned by your petitioner insofar as may be necessary for the purpose of plugging and salvaging said well, including the casing located therein. That said well is an abandoned well and should be plugged as provided by the laws of the State of New Mexico and the regulations of the Oil Conservation Commission of New Mexico. That the right of your petitioner to go upon the lands on which the said well is situate and to take all steps which may be necessary to remove the casing from said well, including the plugging thereof, has heretofore been adjudicated by the District Court of San Miguel County and by the decree of said Court and the bill of sale issued pursuant thereto, said right is now vested in your petitioner.

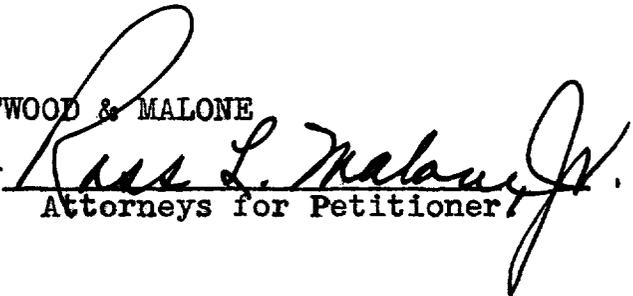
9. That your petitioner is filing with the Commission simultaneously with the filing of this petition its Notice of Intention to Plug Well duly executed in triplicate, together with its bond on Form 39-B1 in the penal sum of \$5000.00 duly executed by American Employers Insurance

Company, which company is authorized as required by law to execute said bond.

WHEREFORE, your petitioner prays that the well herein described by adjudicated to be an abandoned well and that its plugging be ordered by the Commission. That the bond herewith filed be approved, together with the proposed plan of work of petitioner, and that petitioner be authorized to immediately proceed with the plugging of said well.

ATWOOD & MALONE

By


Attorneys for Petitioner

STATE OF NEW MEXICO

County of Chaves



ss.

Before me, the undersigned Notary Public, personally appeared Ross L. Malone, Jr., who being first duly sworn, upon his oath deposes and states:

That he is one of the attorneys for Iverson Tool Company, a corporation, petitioner in the above and foregoing Petition for Consent to Plugging of Abandoned Well, that as such he has read the same and is familiar with the contents thereof, that the matters and facts therein alleged are true to the best of his knowledge and belief. That he makes this verification on behalf of said petitioner for the reason that it is a corporation.

Ross L. Malone, Jr.

SUBSCRIBED AND SWORN TO before me on this the 11th day of July, 1939.

Russel W. Karger
Notary Public

My commission expires:

April 26, 1941