

STATE OF NEW MEXICO  
ENERGY AND MINERALS DEPARTMENT  
OIL CONSERVATION DIVISION  
STATE LAND OFFICE BUILDING  
SANTA FE, NEW MEXICO

12 June 1986

EXAMINER HEARING

IN THE MATTER OF:

The hearing called by the Oil Con- CASE  
servation Division on its own motion 8910  
to permit A. F. Roberts, Jr., et al,  
to appear and show cause why a cer-  
tain well in Lea County, New Mexico,  
should not be plugged and abandoned  
in accordance with a Division-approved  
plugging program.

BEFORE: David R. Catanach, Examiner

TRANSCRIPT OF HEARING

A P P E A R A N C E S

For the Oil Conservation Division: Jeff Taylor & Charles Roybal  
Legal Counsel to the Division  
Oil Conservation Division  
State Land Office Bldg.  
Santa Fe, New Mexico 87501

For the Applicant:

## I N D E X

JERRY SEXTON

Direct Examination by Mr. Taylor

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## E X H I B I T S

Division Exhibit One, Correspondence

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Division Exhibit Two, Well File

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Division Exhibit Three, Inventory

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Division Exhibit Four, Procedure

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Division Exhibit Five, Notices.

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MR. CATANACH: We'll call next  
Case Number 8910.

MR. ROYBAL: Case 8910, in the  
matter of the hearing called by the Oil Conservation  
Division on its own motion to permit A. F. Roberts, Jr.,  
Great American Insurance Company, and other interested  
parties to appear and show cause why the Bogle Farms SWD  
Well No. 1, located 660 feet from the south and west lines  
of Section 16, Township 11 South, Range 34 East, Lea County,  
should not be plugged and abandoned in accordance with a  
Division-approved plugging program.

MR. CATANACH: Are there  
appearances in this case?

MR. TAYLOR: May it please the  
Examiner, my name is Jeff Taylor, Counsel for the Division  
and we have one witness in this case.

MR. CATANACH: Are there other  
appearances?

Will the witness please stand  
and be sworn.

(Witness sworn.)

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JERRY SEXTON,

being called as a witness and being duly sworn upon his  
oath, testified as follows, to-wit:

DIRECT EXAMINATION

BY MR. TAYLOR:

Q Would you please state your name and  
position of employment for the record?

A Jerry Sexton. I work for the Oil Conser-  
vation Division as Hobbs District Supervisor.

Q Mr. Sexton, you've previously testified  
before the Commission or its examiners before and had your  
credentials accepted?

A Yes.

MR. TAYLOR: I tender the wit-  
ness as an expert.

MR. CATANACH: Mr. Sexton is  
considered qualified.

Q Mr. Sexton, would you please state the  
purpose of calling Case 8910?

A This is a salt water disposal well that's  
been very abandoned for many years. The last time it was  
used was 1967, and the -- Mr. Roberts is deceased and his  
heirs do not have anything to do with this well, so it is

1 upon the state to go ahead and plug it. So we feel like now  
2 is the time to go ahead and plug it and take it off the re-  
3 cords and prevent any further possibility of water contamin-  
4 ation.

5 Q Okay, let me hand the examiner a set of  
6 exhibits. I'll give you another set; I just have one set of  
7 the photos.

8 Mr. Sexton, would you please identify Ex-  
9 hibit One and explain the contents for the Examiner?

10 A Exhibit One is a series of correspondence  
11 between the District, or Division lawyer and representatives  
12 of Mr. Roberts in the attempts to try to get the well plug-  
13 ged through normal channels.

14 It shows that these attempts have been  
15 made and due to legal problems, Mr. Roberts is, or any of  
16 his heirs, is not available to plug the well.

17 Q Okay, and those -- those efforts to get  
18 the well plugged have been unsuccessful.

19 A Yes.

20 Q Would you please then identify Exhibit  
21 Two and explain to the examiner what that is?

22 A Exhibit Two is just our well file on the  
23 well that shows the casing, what's been done to the well and  
24 what the condition is of the well.

25 Q Okay. Would you identify then Exhibit

1 Three?

2 A Exhibit Three is an inventory of what is  
3 on the location and attached to your exhibit is pictures and  
4 they list what they are and what will have to be cleaned up  
5 to bring it up to Division standards.

6 Q Okay, and Exhibit Four?

7 A Exhibit Four is a plugging procedure that  
8 will be approved by the Division when we recommend that the  
9 well will be plugged at such time that the Division author-  
10 izes.

11 Q Was the plugging procedure prepared by  
12 you?

13 A Yes.

14 Q Will the failure to plug this well result  
15 in waste or contamination or prevent safety hazards?

16 A Yes, eventually it will. We have some  
17 indication that it already has caused contamination, so it's  
18 obvious that it has to -- needs to be plugged.

19 Q And was notification given to the owner  
20 of the well and to the bonding company that they might ap-  
21 pear here today?

22 A Yes.

23 MR. TAYLOR: We'll mark that  
24 Exhibit Four, Mr. Examiner.

25 MR. CATANACH: What was that,

1 Mr. Taylor?

2 MR. TAYLOR: Five? Let's mark  
3 it Exhibit Five, then. They are notices to the operator and  
4 his surety company.

5 Q Do you have anything else in this matter?

6 A No, that takes care of it.

7 Q Were Exhibits One through Five prepared  
8 by you or are they documents that are normally -- received  
9 in the normal course of business or contained in the files  
10 of the Oil Conservation Division in Hobbs?

11 A Yes.

12 MR. TAYLOR: I move the admis-  
13 sion of Exhibits One through Five.

14 MR. CATANACH: Exhibits One  
15 through Five will be admitted into evidence.

16 MR. TAYLOR: And that's all in  
17 this matter.

18 MR. CATANACH: Is there any-  
19 thing further in Case 8910?

20 If not, it will be taken under  
21 advisement.

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23 (Hearing concluded.)

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## C E R T I F I C A T E

I, SALLY W. BOYD, C.S.R., DO HEREBY  
CERTIFY that the foregoing Transcript of Hearing before the  
Oil Conservation Division (Commission) was reported by me;  
that the said transcript is a full, true, and correct record  
of the hearing, prepared by me to the best of my ability.

Sally W. Boyd CSR

I do hereby certify that the foregoing is  
a complete record of the proceedings in  
the Examiner hearing of Case No. 8910,  
heard by me on June 12, 1936.

David R. Catant, Examiner  
Oil Conservation Division