

Case No.

626

Application, Transcript,
Small Exhibits, Etc.

N.C.

Fields north of, and pro-
moted 160 acres in 32-208-37E in
1901

OIL CONSERVATION COMMISSION
P. O. BOX 871
SANTA FE, NEW MEXICO

April 27, 1954

BERT FIELDS
1211 Fidelity Union Life Building
DALLAS - TEXAS

Attention: Mr. Mark D. Jackman

Dear Sir:

We enclose the Commission's Order No. R-427 issued under date of April 16, 1954, in Case 626, which was heard upon your application.

Very truly yours,

W. B. Macey
Chief Engineer

WBM:mr

C
O
P
Y

OIL CONSERVATION COMMISSION
P. O. BOX 871
SANTA FE, NEW MEXICO

November 13, 1953

BERT FIELDS
1211 Fidelity Union Life Bldg.
DALLAS, TEXAS

Attention: Mr. Mark D. Jackman

Gentlemen:

We have your letter of November 9 requesting hearing on an exception to spacing regulations in the Eumont Gas Pool of Lea County, New Mexico.

Since you wrote, the Commission's Order R-370-A has been issued (under date of November 10, 1953) setting forth specific rules for the Eumont Pool. Your contemplated exception would be in deviation from Rule 7 of the order, and you should therefore submit your application (in triplicate) and it may be set up for hearing at the regular Commission hearing on December 17. The notice should be sent out within the next few days, so please send your application to us as soon as possible.

We enclose a copy of Order R-370-A, although you will receive it in a few days in our regular mailing.

Very truly yours,

W. B. Macey
Chief Engineer

WBM:mr

C
O
P
Y

BERT FIELDS

SUITE 1211 FIDELITY UNION LIFE BLDG.

DALLAS, TEXAS

November 9, 1953

OIL CONSERVATION COMMISSION
SANTA FE, NEW MEXICO.

NOV 12 1953

Chairman,
Oil Conservation Commission
State of New Mexico
Santa Fe, New Mexico

Dear Sir:

We are requesting a hearing for an exception to Rule #5 of the Field Rules for the Eumont Field, Lea County, New Mexico. Our Turner-Hudson-State lease covers 160 acres, but is an unorthodox gas unit as it covers the W/2 of the NE/4 and the E/2 of the NW/4 of Section 32, T 20S, R 37E.

Our well #2 was completed as a gas well in March, 1947, and has been producing gas since that date. The 80 acres, in the E/2 of the NE/4, which is owned by Pacific Western has a gas well that is now producing, and the 80 acres, in the W/2 of the NW/4, which is owned by Atlantic Refining Company, has two gas wells that are now producing.

We are enclosing a copy of the gas well plat of our unit, two copies of which have been filed with the district office at Hobbs.

Yours very truly,

BERT FIELDS

Mark D. Jackman
Mark D. Jackman

MDJ:erm

cc: District Office
Hobbs, New Mexico

NEW MEXICO
OIL CONSERVATION COMMISSION

Gas Well Plat

Date 11-5-53

BERT FIELDS

Turner-Hudson-State

2

Operator

Lease

Well No.

Name of Producing Formation Yates Pool Eumont

No. Acres Dedicated to the Well 160

SECTION 32 TOWNSHIP 20 S RANGE 37 E

ATLANTIC REF. ☼ ² / ☼ ¹ State "D"	BERT FIELDS ☼ ² / • ³ Turner-Hudson-State	PACIFIC WESTERN / ☼ ¹ State "D"
SINCLAIR OIL & GAS CO. • ² / • ¹ State-196	SHELL OIL COMPANY / / • ¹ • ² • ³ State "J"	

I hereby certify that the information given above is true and complete to the best of my knowledge.

Name James M. Sinex

Position Agent

Representing BERT FIELDS

Address 1211 Fidelity Union Life Bldg.
Dallas, Texas

(over)

INSTRUCTIONS

1. Is this gas well a dual completion? Yes _____ No X
2. If the answer to Question 1 is Yes, are there any other dually completed wells within the dedicated acreage? Yes _____ No _____

A separate plat must be filed for each gas well, outlining the area dedicated to such well and showing the location of all other wells (oil and gas) within the outlined area.

Mail in duplicate to the district office for the district in which the well is located.

INTER-OFFICE TRANSMITTAL SLIP

TO RPS - WBM

FROM _____

- ☐ For Approval
- ☐ For Signature
- ☐ Note and Advise
- ☐ Note and Return
- ☐ For Your Files
- ☐ For Your Handling

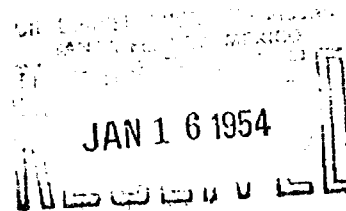
December 17
Leaving?
OK RZ

Remarks:

Please return for
response file
Nancy: We will want to
write a letter immediately
(Friday) on this
evening.

BERT FIELDS
SUITE 1211 FIDELITY UNION LIFE BLDG.
DALLAS, TEXAS

January 14, 1954



New Mexico Oil Conservation Commission
Santa Fe, New Mexico

Attention: Mr. R. R. Spurrier
Secretary & Director

Re: Case #626
Bert Fields Application for
Approval of Unorthodox Gas
Pro-ration Unit, Eumont Gas Pool.

Dear Sir:

At the December 17, 1953 hearing in Santa Fe, we asked that our original application for a 160 acre unorthodox gas unit be amended to 120 acres, and at the hearing, Mr. George Selinger, representing Pacific Western Oil Corporation, requested that this case be continued at the January 20, 1954 hearing before decision was reached.

Since the December 17, 1953 hearing, we have contacted Mr. Fred Turner, the owner of the 40 acres in question, and have come to an agreement with him, and now desire that this gas unit be 160 acres, which comprises W/2 NE/4 and E/2 NW/4 32-20S-37E. We have contacted Mr. Selinger, and he has advised us that he will withdraw his objection to us forming this 160 acre unit.

We therefore, ask that you approve this unorthodox gas unit for 160 acres.

Yours very truly,

BERT FIELDS


Mark D. Jackman

MDJ:erm

DOMESTIC SERVICE	
Check the class of service desired; otherwise this message will be sent as a full rate telegram	
FULL RATE TELEGRAM	
DAY LETTER	
NIGHT LETTER	

WESTERN UNION

1266 10-51

W. P. MARSHALL, PRESIDENT

INTERNATIONAL SERVICE	
Check the class of service desired; otherwise the message will be sent at the full rate	
FULL RATE	
LETTER TELEGRAM	
SHIP RADIOGRAM	

NO. WDS.-CL. OF SVCS.	PD. OR COLL.	CASH NO.	CHARGE TO THE ACCOUNT OF	TIME FILED
			Oil Conservation Commission	

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

Santa Fe, New Mexico
January 14, 1953

MARK JACKMAN
c/o BERT FIELDS
EMPLOYERS CASUALTY BUILDING
DALLAS, TEXAS

YOU SHOULD HAVE A REPRESENTATIVE AT THE OIL CONSERVATION
COMMISSION HEARING JANUARY TWENTIETH TO HANDLE CASE 626.

R. R. SPURRIER
OIL CONSERVATION COMMISSION

ALL MESSAGES TAKEN BY THIS COMPANY ARE SUBJECT TO THE FOLLOWING TERMS:

To guard against mistakes or delays, the sender of a message should order it repeated, that is, telegraphed back to the originating office for comparison. For this, one-half the un-repeated message rate is charged in addition. Unless otherwise indicated on its face, this is an un-repeated message and paid for as such, in consideration whereof it is agreed between the sender of the message and the Telegraph Company as follows:

1. The Telegraph Company shall not be liable for mistakes or delays in the transmission or delivery, or for non-delivery, of any message received for transmission at the un-repeated-message rate beyond the sum of five hundred dollars; nor for mistakes or delays in the transmission or delivery, or for non-delivery, of any message received for transmission at the repeated-message rate beyond the sum of five thousand dollars, unless specially valued; nor in any case for delays arising from unavoidable interruption in the working of its lines.

2. In any event the Telegraph Company shall not be liable for damages for mistakes or delays in the transmission or delivery, or for the non-delivery, of any message, whether caused by the negligence of its servants or otherwise, beyond the actual loss, not exceeding in any event the sum of five thousand dollars, at which amount the sender of each message represents that the message is valued, unless a greater value is stated in writing by the sender thereof at the time the message is tendered for transmission, and unless the repeated-message rate is paid or agreed to be paid and an additional charge equal to one-tenth of one per cent of the amount by which such valuation shall exceed five thousand dollars.

3. The Telegraph Company is hereby made the agent of the sender, without liability, to forward this message over the lines of any other company when necessary to reach its destination.

4. Except as otherwise indicated in connection with the listing of individual places in the filed tariffs of the Telegraph Company, the amount paid for the transmission of a domestic telegram or an incoming cable or radio message covers its delivery within the following limits: In cities or towns of 5,000 or more inhabitants where the Telegraph Company has an office which, as shown by the filed tariffs of the Telegraph Company, is not operated through the agency of a railroad company, within two miles of any open main or branch office of the Telegraph Company; in cities or towns of 5,000 or more inhabitants where, as shown by the filed tariffs of the Telegraph Company, the telegraph service is performed through the agency of a railroad company, within one mile of the telegraph office; in cities or towns of less than 5,000 inhabitants in which an office of the Telegraph Company is located, within one-half mile of the telegraph office. Beyond the limits above specified the Telegraph Company does not undertake to make delivery but will endeavor to arrange for delivery as the agent of the sender, with the understanding that the sender authorizes the collection of any additional charge from the addressee and agrees to pay such additional charge if it is not collected from the addressee. There will be no additional charge for deliveries made by telephone within the corporate limits of any city or town in which an office of the Telegraph Company is located.

5. No responsibility attaches to the Telegraph Company concerning messages until the same are accepted at one of its transmitting offices; and if a message is sent to such office by one of the Telegraph Company's messengers, he acts for that purpose as the agent of the sender.

6. The Telegraph Company will not be liable for damages or statutory penalties when the claim is not presented in writing to the Telegraph Company, (a) within ninety days after the message is filed with the Telegraph Company for transmission in the case of a message between points within the United States (except in the case of an intrastate message in Texas) or between a point in the United States on the one hand and a point in Alaska, Canada, Mexico, or St. Pierre-Miquelon Islands on the other hand, or between a point in the United States and a ship at sea or in the air, (b) within 95 days after the cause of action, if any, shall have accrued in the case of an intrastate message in Texas, and (c) within 180 days after the message is filed with the Telegraph Company for transmission in the case of a message between a point in the United States and a foreign or overseas point other than the points specified above in this paragraph; provided, however, that this condition shall not apply to claims for damages or overcharges within the purview of Section 415 of the Communications Act of 1934, as amended.

7. It is agreed that in any action by the Telegraph Company to recover the tolls for any message or messages the prompt and correct transmission and delivery thereof shall be presumed, subject to rebuttal by competent evidence.

8. Special terms governing the transmission of messages according to their classes, as enumerated below, shall apply to messages in each of such respective classes in addition to all the foregoing terms.

9. No employee of the Telegraph Company is authorized to vary the foregoing.

6-52

CLASSES OF SERVICE

DOMESTIC SERVICES

FULL RATE TELEGRAM

A full rate expedited service.

DAY LETTER (DL)

A deferred service at lower than the full rate

NIGHT LETTER (NL)

Accepted up to 2 A. M. for delivery not earlier than the following morning at rates substantially lower than the full rate telegram or day letter rates.

INTERNATIONAL SERVICES

FULL RATE (FR)

The standard fast service at full rates. May be written in any language that can be expressed in Roman letters, or in secret language. A minimum charge for 5 words applies.

LETTER TELEGRAM (LT)

Overnight plain language messages. Minimum charge for 22 words applies

SHIP RADIOGRAM

A service to and from ships at sea. Plain or secret language may be used. Minimum charge for 5 words applies.

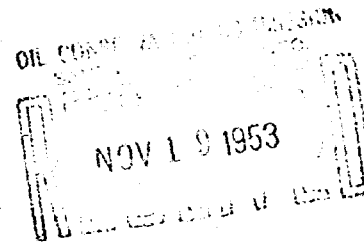
U
P
Y

Dec 17 1953 Hearing - CROSS FILE: RE CASES 613 - 626, incl.

In File Case 613, note Shell Oil Company statement which was to be applied
to Cases 613 - 626, incl.

BERT FIELDS
~~201 FIDELITY UNION LIFE BUILDING~~
DALLAS, TEXAS
SUITE 1211 FIDELITY UNION LIFE BUILDING

November 17, 1953



Oil Conservation Commission
State of New Mexico
P. O. Box 871
Santa Fe, New Mexico

Re: Request for hearing for exception
to Rule 7(a) of Commission Order
No. R-370-A

Gentlemen:

Please accept this as a request for a hearing for an exception to Rule 7(a) of the Commission's Order No. R-370-A, Eumont Gas Pool, Lea County.

Our Turner-Hudson-State 160 acre lease is located in the W/2 of the NE/4 and the E/2 of the NW/4 of Section 32, TWP. 20S, Range 37E and has one producing gas well. This is well No. 2 and was completed as a gas well in March, 1947, and has been producing gas since that date.

As you may note, from the attached Gas Well Plat, the 80 acres, to the East E/2 of the NE/4, which is owned by Pacific Western, has one producing gas well, and the 80 acres to the West, W/2 of the NW/4, which is owned by Atlantic, has two producing gas wells.

We will appreciate it very much if you will set this for hearing at your regular December 17, 1953 meeting.

Yours very truly,

BERT FIELDS

A handwritten signature in cursive script, appearing to read "Mark D. Jackman".

Mark D. Jackman

MDJ:erm
Encl.

NEW MEXICO
OIL CONSERVATION COMMISSION

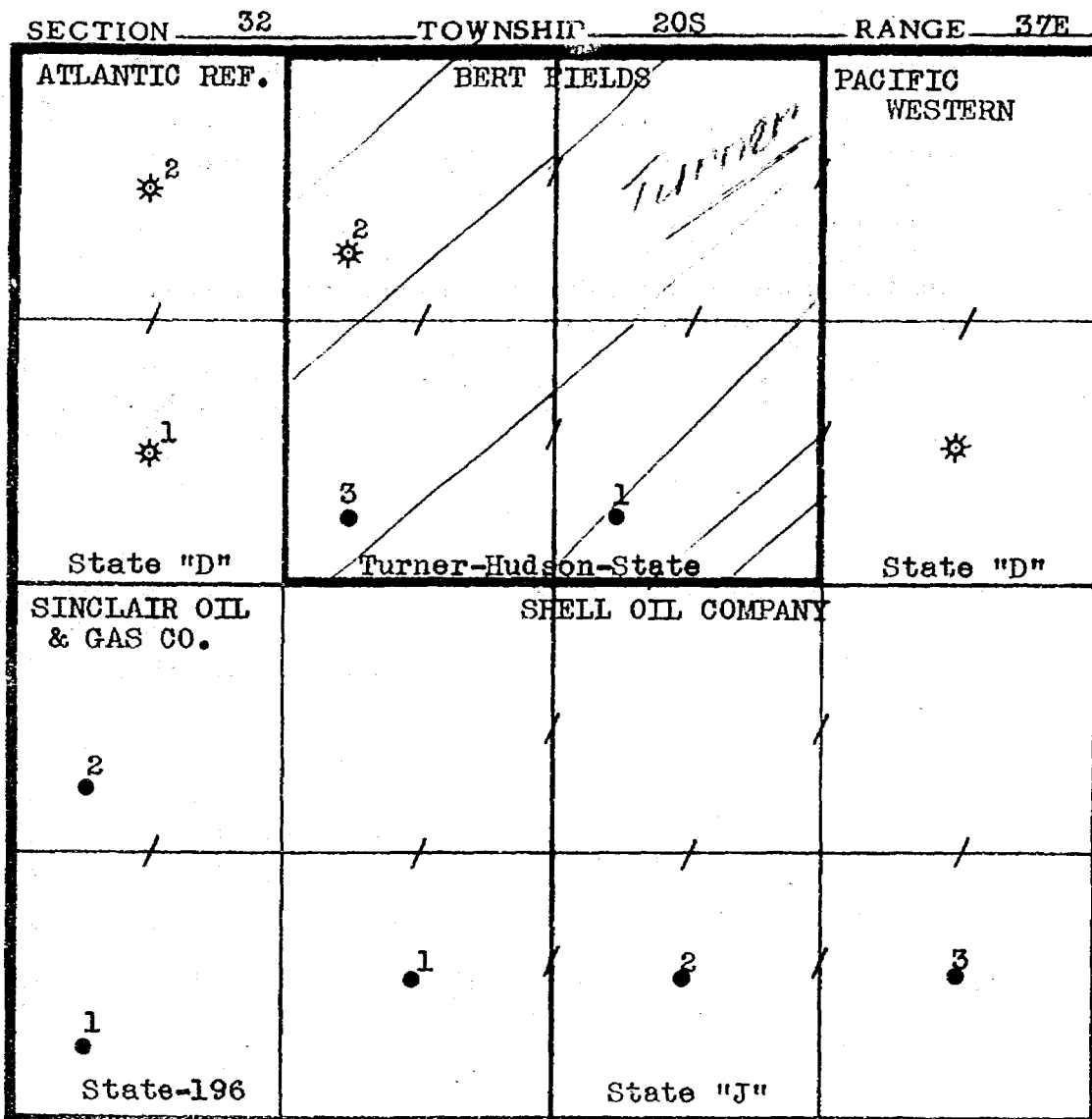
Gas Well Plat

Date 11-5-53

BERT FIELDS Turner-Hudson-State 2
Operator Lease Well No.

Name of Producing Formation Yates Pool Eumont

No. Acres Dedicated to the Well 160



I hereby certify that the information given above is true and complete to the best of my knowledge.

James M. Sinex
Name James M. Sinex
Position Agent
Representing BERT FIELDS
Address 1211 Fidelity Union Life Bldg.
Dallas, Texas

(over)

INSTRUCTIONS

1. Is this gas well a dual completion? Yes No X
2. If the answer to Question 1 is Yes, are there any other dually completed wells within the dedicated acreage? Yes No

A separate plat must be filed for each gas well, outlining the area dedicated to such well and showing the location of all other wells (oil and gas) within the outlined area.

Mail in duplicate to the district office for the district in which the well is located.

BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
COMMISSION OF THE STATE OF NEW
MEXICO FOR THE PURPOSE OF
CONSIDERING:

CASE NO. 626
Order No. R-427

THE APPLICATION OF BERT FIELDS FOR
AN ORDER GRANTING APPROVAL OF AN
EXCEPTION TO RULE 7 (a) OF ORDER NO.
R-370-A IN ESTABLISHMENT OF AN UNORTHODOX
GAS PRORATION UNIT OF 160 CONTIGUOUS ACRES
CONSISTING OF WEST HALF NORTHEAST QUARTER,
AND EAST HALF NORTHWEST QUARTER OF SECTION
32, TOWNSHIP 20 SOUTH, RANGE 37 EAST, NMPM,
LEA COUNTY, NEW MEXICO, IN THE EUMONT GAS
POOL.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 o'clock a.m., on December 17, 1953, and on January 20, 1954, at Santa Fe, New Mexico, before the Oil Conservation Commission, hereinafter referred to as the "Commission".

NOW, on this th16 day of April, 1954, the Commission, a quorum being present, having considered the records and testimony adduced, and being fully advised in the premises;

FINDS:

(1) That due notice of the time and place of hearing and the purpose thereof having been given as required by law, the Commission has jurisdiction of this case and the subject matter thereof.

(2) That pursuant to provisions of Rule 7 (a) of Order No. R-370-A, the Commission has power and authority to permit the formation of a gas proration unit consisting of other than a legal quarter section after notice and hearing by the Commission.

(3) That applicant, Bert Fields, is the owner of an oil and gas lease in Lea County, New Mexico the land consisting of other than a legal quarter section, and described as follows, to-wit:

TOWNSHIP 20 SOUTH, RANGE 37 EAST, NMPM
E/2 NW/4 and W/2 NE/4 of Section 32

containing 160 acres, more or less.

(4) That applicant, Bert Fields, has a producing well on the afore-said lease known as Turner-Hudson State, No. 2, located 990' from the north line and 1650' from the west line of section 32, township 20 south, range 37 east, NMPM.

(5) That the aforesaid well was completed and in production prior to January 1, 1954, the effective date of Order No. R-370-A, and is located within the limits of the pool heretofore delineated and designated as the Eumont Gas Pool.

(6) That it is not practicable to pool applicant's said lease with adjoining acreage in the north half of Section 32, and that the owners of adjoining acreage in said half section have not objected to the formation of the proposed proration unit of 160 acres.

(7) That unless a proration unit consisting of applicant's aforesaid acreage is permitted, applicant will be deprived of the opportunity to recover his just and equitable share of the natural gas in the Eumont Gas Pool.

(8) That creation of a proration unit consisting of the aforesaid acreage will not cause but will prevent waste, will protect correlative rights, and is necessary to prevent confiscation of applicant's property.

IT IS THEREFORE ORDERED:

(1) That the application of Bert Fields, for approval of an unorthodox proration unit consisting of the following described acreage:

TOWNSHIP 20 SOUTH, RANGE 37 EAST, NMPM
E/2 NW/4, W/2 NE/4 of Section 32.

be and the same is hereby approved, and a proration unit consisting of aforesaid acreage is hereby created.

(2) That applicant's well, Turner-Hudson State, No. 2, located in the NE/4 NW/4 of Section 32, Township 20 South, Range 37 East, NMPM, shall be granted an allowable from January 1, 1954 in the proportion that the above described 160 acre unit bears to the standard or orthodox proration unit for said pool, all until further order of the Commission.

DONE at Santa Fe, New Mexico, the day and year hereinabove designated.

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

E. L. Mechem

EDWIN L. MECHEM, Chairman

E. S. Walker

E. S. WALKER, Member

R. R. Spurrer

R. R. SPURRIER, Secretary and Member

SEAL

BEFORE THE
OIL CONSERVATION COMMISSION
SANTA FE, NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

Case No. 626

Regular Hearing
January 20, 1954

ADA DEARNLEY & ASSOCIATES
COURT REPORTERS
ROOM 105-106, EL CORTEZ BLDG.
PHONES 7-9645 AND 5-9546
ALBUQUERQUE, NEW MEXICO

BEFORE THE
OIL CONSERVATION COMMISSION
SANTA FE, NEW MEXICO

January 20, 1954

In the matter of the application of Bert Fields for approval of an unorthodox gas proration unit of 160 acres, more or less, in exception to Rule 7(a) of Order No. R-370-A, said unit comprising W/2 NE/4 and E/2 NW/4 of Section 32, Township 20 South, Range 37 East, Lea County, New Mexico, in the Eumont Gas Pool.

Case No. 626

(Notice of Publication read by Mr. Graham)

MR. JACKMAN: I am Mark Jackman, representing Bert Fields, Dallas, Texas. Our original application for unorthodox unit in Eumont was for 160 acres. The west half of the northeast quarter and the east half of the northwest quarter of Section 32, Township 20 South, Range 37 East. We have made arrangements with Mr. Fred Turner, the owner of the 40 acres that we included in our request at the December hearing, and now wish to have the unit set at 160 acres we originally requested. To further clarify this Pacific Western has the 80 acres in the east half of the northeast quarter and has a completed gas well on this 80 acres. In the west half of the northwest quarter Atlantic Refining has 80 acres and they have two completed gas wells. On the 160 acres in our request there is one gas well completed and producing and all of these gas wells are producing.

MR. SELINGER: George Selinger, representing Skelly Oil Company. If you recall at the previous hearing we asked that the Case No. 626 be continued over until Case 639, which is set for today, is heard. We felt that the odd 40 acre unassigned should be taken care

ADA DEARNLEY & ASSOCIATES
COURT REPORTERS
ROOM 105-106, EL CORTEZ BLDG.
PHONES 7-9645 AND 5-8846
ALBUQUERQUE, NEW MEXICO

of. With the completion of negotiations between Bert Fields and Fred Turner and the application of 639 it will button all the acreage up in that quarter section, governmental quarter section. We urge the Commission to pass on the Case 626.

MR. STURRER: Anyone else? We will take the case under advisement and recess until 1:15 for lunch.

(Recess)

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO)

I HEREBY CERTIFY that the foregoing and attached transcript of hearing in Case No. 626, before the Oil Conservation Commission, State of New Mexico, at Santa Fe, on January 20, 1954, is a true and correct record of the same to the best of my knowledge, skill and ability.

DATED at Albuquerque, New Mexico, this 25th day of January, 1954.

Ada Dearnley
REPORTER

ADA DEARNLEY & ASSOCIATES
COURT REPORTERS
ROOM 105-106, EL CORTEZ BLDG.
PHONES 7-9646 AND 8-9546
ALBUQUERQUE, NEW MEXICO

BEFORE THE
OIL CONSERVATION COMMISSION
STATE OF NEW MEXICO
at
Santa Fe, New Mexico
December 17, 1953

-----)
In the Matter of:)

Application of Bert Fields for approval of an)
unorthodox gas proration unit of 160 acres,)
more or less, in exception to Rule 7(a) of)
Order No. R-370-A, said unit comprising W/2)
NE/4 and E/2 NW/4 of Section 32, Township 20,)
South, Range 37 East, Lea County, New Mexico,)
in the Eumont Gas Pool.)
-----)

Case No. 626

(Notice of Publication read by Mr. Graham).

Jakeman
MR. JAKEMAN: My name is Mark D. Jakeman, I represent Bert
Field at Dallas, Texas. I wish to amend our application and change
it from 160 acres to 120. The 120 lies as follows, 80 acres in the
east half of the northwest quarter and 40 acres in the southwest
quarter of the northeast quarter of Section 20 south and 37 east.
The reason we are asking for unorthodox unit is that to the east of
us, to the west of us on the 80 acres owned by Atlantic, they have
two gas wells that are presently producing. Our gas well is located
in the northeast of the northwest quarter, which would be, there is
three gas wells in that governmental quarter section. In the north-
east quarter section Pacific Western has a gas well completed on
their 80 acres. We ask the Commission to assign the 40 acres of
ours that lies in the northeast quarter to our well. It is all
under the same fee ownership there. There will be three or four
unorthodox units in that half section.

ADA DEARNLEY & ASSOCIATES
COURT REPORTERS
ROOM 105-106, EL CORTEZ BLDG.
PHONES 7-9645 AND 5-9846
ALBUQUERQUE, NEW MEXICO

MR. SELINGER: Who owns the northeast of the northeast of 12?

MR. JAKEMAN: Fred Turner and Hudson and Hudson, Incorporated.

MR. NACY: You mean the northwest of the northeast?

MR. JAKEMAN: Yes, northwest of the northeast.

MR. SELINGER: Fred Turner - -

MR. GRAHAM: Have you made an effort to contact those people?

MR. JAKEMAN: We couldn't have a regular, there are four wells in the north half of this Section 32, four producing gas wells.

MR. SELINGER: Did you contact Fred Turner with respect to working out a 160 acre unit which would take in the east half of the northwest quarter of 32 and the west half of the northeast quarter of 32?

MR. JAKEMAN: Why?

MR. SELINGER: That was your original application.

MR. JAKEMAN: I just ammended.

MR. SELINGER: I ask you now, did you make any effort to contact Mr. Turner with respect to his 40 acres?

MR. JAKEMAN: We advised him we were going to ask for 120 acres at the hearing today.

MR. SELINGER: Did you originally ask to have his acreage put in, did you have any sort of an agreement with Mr. Turner?

MR. JAKEMAN: It so happens that this lease was, our lease was originally gotten from Turner and Hudson and it was divided into four tracts and one well had to be drilled on each tract to validate each 40 acres, and as we only drill three wells we only validated three of the 40 acre tracts.

MR. DAVIS: You are talking about oil wells?

ADA DEARNLEY & ASSOCIATES
COURT REPORTERS
ROOM 105-106, EL CORTEZ BLDG.
PHONES 7-9645 AND 5-9546
ALBUQUERQUE, NEW MEXICO

MR. JAKEMAN: Oil wells.

MR. SELINGER: Did you contact Mr. Turner prior to the filing of the application?

MR. JAKEMAN: On December 30 we found we did not own the quarter section that does not have a well on it. That is why we ammended our application from 160 to 120. We advised Mr. Turner that we were going to ask for 120 acres to be assigned to the well.

MR. SELINGER: What will happen to Mr. Turner's 40 acres?

MR. JAKEMAN: There is one well in that government quarter section which is Pacific Western's well, that would be the well that his 40 acres would go into. However, if it is worked out and the Commission approves it it could be worked into our, added to our 120 acres.

MR. SELINGER: Do you have any objections to adding your 120 to Mr. Turner's?

MR. JAKEMAN: Do you represent Mr. Turner?

MR. SELINGER: No, I represent Pacific Western.

MR. JAKEMAN: Oh, I didn't know.

MR. SELINGER: I might say, for the benefit of the Commission, that Mr. Jakeman wrote Pacific Western for a waiver. We suggested that he present the matter to the Commission at an open hearing.

MR. JAKEMAN: I did not receive any reply from Pacific Western to the letter that I wrote asking for a waiver, up until the time I left Dallas yesterday morning.

MR. SELINGER: We wrote you, attention to you, I myself wrote you at Burt Field, at Dallas, Texas, we advised that we would not give you a waiver and suggested that you file this application and

ADA DEARNLEY & ASSOCIATES
COURT REPORTERS
ROOM 105-106, EL CORTEZ BLDG.
PHONES 7-9645 AND 5-9546
ALBUQUERQUE, NEW MEXICO

have a hearing on it.

MR. JAKEMAN: I didn't get any letter from you. I don't see that has any bearing on the case.

MR. SELINGER: I might add, to further confuse the record, that we have on file, based on the application of Bert Field's for 160 acres, which included Mr. Turner, which for the first time we find that it does not belong to Bert Fields, that based on their application for 160 acres we filed our application for the unorthodox of 80 acres. As you can see the north half of Section 32 contains four gas wells.

MR. SELINGER: Whereabouts is Field's gas well located?

MR. HANSON: It is in the northeast of the northwest.

MR. JAKEMAN: It is on the plat, here on the board. Atlantic's two gas wells are there, State's one and two, and Pacific Western is down here. In the south half of the section there are no gas wells completed. Shell or El Paso have the last 240 acres in the east three-fourths of the half section, and Sinclair has the west 80.

MR. SPURRIER: Anyone else?

MR. FOSTER: I want to ask one question. I believe the witness said that he acquired his lease interest by assignment from somebody, is that right?

MR. JAKEMAN: I don't recall saying that.

MR. SELINGER: You said you got it from Fred Turner.

MR. JAKEMAN: It was on a drilling agreement back in 1936, or something.

MR. FOSTER: A farm-out?

MR. JAKEMAN: A farm-out, yes.

MR. FOSTER: When was that?

MR. JAKEMAN: I believe it was in 1936, it could have been in '35 or '37, I think it was in '36. This gas well was completed in March of 1947, and has been producing gas since then.

MR. SPURRIER: Anyone else?

MR. SELINGER: Since this matter is in the midst of two applications, one which we have filed and set for the January 20 hearing, I suggest that this particular case go over to the same time and date that the Pacific Western application, which is now on file with the Commission, is set for hearing, because obviously you are going to have some orthodox unit with four wells on 320 acres.

MR. JAKEMAN: I object to that on the basis why should we be penalized for the January allowable when we have a 120 acres and we only had 80 acre allowable assigned to our well. I believe that we can work out something before your January 21st meeting.

MR. SELINGER: I think so.

MR. JAKEMAN: It could be re-opened on ours if it was decided that the 40 acres, if it is decided it would be best for it to come in with ours.

MR. SELINGER: You understand that you won't be jeopardized in your allowable, that whatever credit you get now, and should you at some future time receive the increment of acreage you get the acreage and allowable retroactive to the adoption of the rules. So you wouldn't be in anyway adversely effected in your allowable.

MR. JAKEMAN: I still object.

MR. SPURRIER: I think we will have to follow the previous case and you will have to get waivers from Pacific Western and Atlantic

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COURT REPORTERS
ROOM 105-106, EL CORTEZ BLDG.
PHONES 7-9645 AND 5-9546
ALBUQUERQUE, NEW MEXICO

and Fred Turner, Turner-Hudson.

MR. SELINGER: Of course Mr. Spurrier understands the rules and regulations, I want to talk about this waiver that has been coming up very prominently. Under the present rules and regulations of the Commission there is, there are three alternative methods of bringing this matter to the Commission's attention. In the location, the unorthodox location, the rules require that the Commission can, the Director can issue an exemption provided the operator get waivers from everybody within 1320 feet from the location of that well. Now, with respect to unorthodox units, there are two alternatives, one is that the operator, the Director of the Commission issue an exemption if the operator gets waivers from everybody offsetting that unorthodox unit. But there is likewise a third method which is on the last page of each of those nine orders. It says that the operator is entitled to his 40 acres or 80 acres, or whatever acreage is within the governmental quarter section, and then after notice and hearing, should the Commission grant the exemption, it increase allowable. That is why we notified Mr. Jakeman that we felt that the third method was best in that at all times I know of no order that the Commission does not issue, which does not permit either an exemption or a hearing after notice. I have also, on our three cases earlier this morning, and all others, should operators elect not to take the first two alternative routes they have a perfect right to come before the Commission at an open hearing after notice and request relief. I don't think that these applicants should be required to get waivers, because suppose Pacific Western doesn't give a waiver, as he has already requested him to do. We have asked him to come

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before the Commission in an open hearing. You are evading the question, you are delaying the man because he can't get waivers. Our hearing is coming up tomorrow, our hearing is coming up next month and the matter of this 40 acres, which is lying loose for the first time we are advised of it. We were under the impression that the application covered the 160 acres. I don't think the Commission should foreclose an applicant or anybody coming before the Commission at an open hearing, and openly ask ^{for} his relief.

MR. SPURRIER: Does anyone have anything further? If not we will take the case under advisement and move on to Case 627.

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO)

I HEREBY CERTIFY that the foregoing and attached transcript of hearing on Case 626 before the Oil Conservation Commission, State of New Mexico, at Santa Fe, on December 17, 1953, is a true and correct record of the same to the best of my knowledge, skill and ability.

DATED at Albuquerque, New Mexico, this 26th day of December, 1953.


COURT REPORTER

ADA DEARNLEY & ASSOCIATES
COURT REPORTERS
ROOM 105-108, EL CORTEZ BLDG.
PHONES 7-9645 AND 5-9546
ALBUQUERQUE, NEW MEXICO

BERT FIELDS

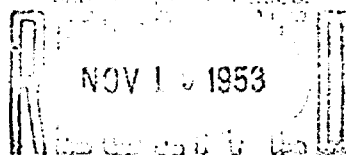
~~301 EMPLOYERS INSURANCE BUILDING~~

DALLAS, TEXAS

SUITE 1211 FIDELITY UNION LIFE BUILDING ON COMPTON ST. DALLAS, TEXAS

November 17, 1953

Case 626



Oil Conservation Commission
State of New Mexico
P. O. Box 871
Santa Fe, New Mexico

Re: Request for hearing for exception
to Rule 7(a) of Commission Order
No. R-370-A

Gentlemen:

Please accept this as a request for a hearing for an exception to Rule 7(a) of the Commission's Order No. R-370-A, Eumont Gas Pool, Lea County.

Our Turner-Hudson-State 160 acre lease is located in the W/2 of the NE/4 and the E/2 of the NW/4 of Section 32, TWP. 20S, Range 37E and has one producing gas well. This is well No. 2 and was completed as a gas well in March, 1947, and has been producing gas since that date.

As you may note, from the attached Gas Well Plat, the 80 acres, to the East E/2 of the NE/4, which is owned by Pacific Western, has one producing gas well, and the 80 acres to the West, W/2 of the NW/4, which is owned by Atlantic, has two producing gas wells.

We will appreciate it very much if you will set this for hearing at your regular December 17, 1953 meeting.

Yours very truly,

BERT FIELDS

Mark D. Jackman

MDJ:erm
Encl.

NEW MEXICO
OIL CONSERVATION COMMISSION

Gas Well Plat

Date 11-5-53

BERT FIELDS Turner-Hudson-State 2
Operator Lease Well No.

Name of Producing Formation Yates Pool Eumont

No. Acres Dedicated to the Well 160

SECTION <u>32</u>	TOWNSHIP <u>20S</u>	RANGE <u>37E</u>
ATLANTIC REF. 2 1 State "D"	BERT FIELDS 2 3 1 Turner-Hudson-State	PACIFIC WESTERN 1 State "D"
SINCLAIR OIL & GAS CO. 2 1 State-196	SHELL OIL COMPANY 1 2 State "J"	

I hereby certify that the information given above is true and complete to the best of my knowledge.

James M. Sinex
Name James M. Sinex
Position Agent
Representing BERT FIELDS
Address 1211 Fidelity Union Life Bldg.
Dallas, Texas

(over)

INSTRUCTIONS

1. Is this gas well a dual completion? Yes _____ No X
2. If the answer to Question 1 is Yes, are there any other dually completed wells within the dedicated acreage? Yes _____ No _____

A separate plat must be filed for each gas well, outlining the area dedicated to such well and showing the location of all other wells (oil and gas) within the outlined area.

Mail in duplicate to the district office for the district in which the well is located.

NEW MEXICO
OIL CONSERVATION COMMISSION

Gas Well Plat

Date 11-5-53












BERT FIELDS
Operator

Turner-Hudson-State
Lease

2
Well No.

Name of Producing Formation Yates Pool Eumont

No. Acres Dedicated to the Well 120

SECTION <u>32</u>	TOWNSHIP <u>20S</u>	RANGE <u>37E</u>	
ATLANTIC REF. 	BERT FIELDS 	<i>Turner-Hudson</i>	PACIFIC WESTERN
			
State "D"	Turner-Hudson-State		State "D"
SINCLAIR OIL & GAS CO. 			
			
State-196		State "J"	

I hereby certify that the information given above is true and complete to the best of my knowledge.

James M. Sinez
Name James M. Sinez

Position Agent

Representing BERT FIELDS

Address 1211 Fidelity Union Life Bldg.
Dallas, Texas

(over)

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Mail in duplicate to the district office for the district in which the well is located.

9m 4
20-21 K

BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
COMMISSION OF THE STATE OF NEW
MEXICO FOR THE PURPOSE OF CON-
SIDERING:

CASE NO. 626
Order No. R-427 /

THE APPLICATION OF *BERT Fields*

FOR AN ORDER GRANTING APPROVAL
OF AN EXCEPTION TO RULE 7 (a) OF
ORDER NO. R-370-A IN ESTABLISHMENT
OF AN UNORTHODOX GAS PRORATION
UNIT OF 160 CONTIGUOUS ACRES
CONSISTING OF *W/2 NE/4, and
E/2 NW/4 of Section 32,
Township 20 South, Range
37 EAST, NMPM, Lea County,
New Mexico in the
Eumont Gas Pool.*

BY THE COMMISSION:

ORDER OF THE COMMISSION

*December 17, 1953, and on
January 20, 1954*

This cause came on for hearing at 9 o'clock a. m., on
at Santa Fe, New Mexico, before the Oil Conservation Commission, herein-
after referred to as the "Commission".

NOW, on this day of *April*, 1954, the Commission, a
quorum being present, having considered the records and testimony adduced, and
being fully advised in the premises;

FINDS:

(1) That due notice of the time and place of hearing and the purpose
thereof having been given as required by law, the Commission has jurisdiction of this
case and the subject matter thereof.

(2) That pursuant to provisions of Rule 7 (a) of Order No. R- 370-A,
the Commission has power and authority to permit the formation of a gas proration
unit consisting of other than a legal quarter section after notice and hearing by the
Commission.

(3) That applicant, *BERT Fields*,
is the owner of an oil and gas lease in Lea County, New Mexico the land consisting of
other than a legal quarter section, and described as follows, to-wit:

TOWNSHIP 20 SOUTH, RANGE 37 EAST, NMPM.
*E/2 NW/4 and W/2 NE/4
of Section 32*

containing *160* acres, more or less.

Order No. R- 427

(4) That applicant, BERT Fields, has a producing well on the aforesaid lease known as TURNER-HUDSON STATE, No. 2, located 990' from the NORTH line and 1650' from the WEST line of Section 32, Township 20 South, Range 37 East, NMPM.

(5) That the aforesaid well was completed and in production prior to January 1, 1954, the effective date of Order No. R-370A, and is located within the limits of the pool heretofore delineated and designated as the EUMONT Gas Pool.

(6) That it is ^(Not Practicable) ~~impossible~~ to pool applicant's said lease with adjoining acreage in the North Half of Section 32.

and that the owners of adjoining acreage in said ^(half) ~~quarter~~ sections have not objected to the formation of the proposed proration unit of 160 acres, ~~but have expressly consented thereto.~~

(7) That unless a proration unit consisting of applicant's aforesaid acreage is permitted, applicant will be deprived of the opportunity to recover his just and equitable share of the natural gas in the EUMONT Gas Pool.

(8) That creation of a proration unit consisting of the aforesaid acreage will not cause but will prevent waste, will protect correlative rights, and is necessary to prevent confiscation of applicant's property.

IT IS THEREFORE ORDERED:

(1) That the application of BERT Fields for approval of an unorthodox proration unit consisting of the following described acreage

TOWNSHIP 20 SOUTH, RANGE 37 EAST, NMPM.
E/2 NW/4, W/2 NE/4
of Section 32.

Be And The same

1 is hereby approved, and a proration unit consisting of aforesaid acreage is hereby created ~~and approved.~~

Order No. R- 427

(2) That applicant's well, *Turner-Hudson State, No. 2*, located in the *NE/4 NW/4* of Section *32*, Township *20* South, Range *37* East, NMPM, shall be granted an allowable from January 1, 1954 in the proportion that the above described *160* acre unit bears to the standard or orthodox proration unit for said pool, all until further order of the Commission.

DONE at Santa Fe, New Mexico, the day and year hereinabove designated.

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

EDWIN L. MECHEM, Chairman

E. S. WALKER, Member

R. R. SPURRIER, Secretary and Member

(S E A L)