

Entered October 4, 1968
A.L.P.

BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

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

CASE No. 3858
Order No. R-3516

APPLICATION OF H. C. BERRY FOR AN
ORDER REQUIRING THE FENCING OF OIL-
FIELD INSTALLATIONS, RIO ARriba AND
SANDOVAL COUNTIES, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 a.m. on September 18, 1968, at Santa Fe, New Mexico, before the Oil Conservation Commission of New Mexico, hereinafter referred to as the "Commission."

NOW, on this 4th day of October, 1968, the Commission, a quorum being present, having considered the testimony presented and the exhibits received at said hearing, and being fully advised in the premises,

FINDS:

(1) That due public notice having been given as required by law, the Commission has jurisdiction of this cause and the subject matter thereof.

(2) That the applicant, H. C. Berry, is the owner and operator of a ranch of approximately 80,000 acres comprising state, federal, and fee lands located in Rio Arriba and Sandoval Counties, New Mexico, embracing, with certain minor exceptions, the following-described area:

<u>TOWNSHIP 22 NORTH, RANGE 6 WEST, NMPM</u>	
Sections 1 through 3:	All
Section 4:	N/2
Section 5:	N/2
Section 10:	E/2
Sections 11 and 12:	All

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TOWNSHIP 23 NORTH, RANGE 6 WEST, NMPM
Sections 1 through 36: All

TOWNSHIP 23 NORTH, RANGE 7 WEST, NMPM
Sections 1 through 3: All
Section 4: E/2
Section 10: N/2
Sections 11 through 14: All

TOWNSHIP 24 NORTH, RANGE 6 WEST, NMPM
Sections 1 through 36: All

TOWNSHIP 24 NORTH, RANGE 7 WEST, NMPM
Sections 1 through 3: All
Sections 8 through 16: All
Section 17: E/2
Section 20: E/2
Sections 21 through 28: All
Section 29: E/2
Sections 33 through 36: All

TOWNSHIP 25 NORTH, RANGE 6 WEST, NMPM
Sections 1 and 2: All
Sections 11 through 14: All
Sections 21 through 36: All

TOWNSHIP 25 NORTH, RANGE 7 WEST, NMPM
Section 25: S/2
Section 26: S/2
Section 35: E/2
Section 36: All

(3) That persons other than the applicant own and operate numerous oil and gas wells and installations related thereto on said ranch.

(4) That the applicant seeks an order requiring the fencing of all wellhead equipment, tank batteries, pumping installations, disposal pits, oil-pipeline risers and valves, and all similar oil-field installations located on applicant's said ranch.

(5) That on numerous occasions liquid hydrocarbons and hydrocarbon impregnated substances have been easily accessible,

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in the area of certain of said installations, to cattle on the subject ranch.

(6) That liquid hydrocarbons and hydrocarbon impregnated substances will, in certain circumstances, be consumed by cattle.

(7) That the consumption of liquid hydrocarbons and hydrocarbon impregnated substances by cattle is injurious to the well-being of said cattle.

(8) That liquid hydrocarbons and hydrocarbon impregnated substances should not become easily accessible to cattle on the subject ranch due to improper oil-field operations.

(9) That proper construction and maintenance of oil-field installations, properly observing presently existing rules and regulations of the New Mexico Oil Conservation Commission will afford reasonable protection against liquid hydrocarbons and hydrocarbon impregnated substances becoming easily accessible to cattle on the subject ranch.

(10) That, at this time, it is unnecessary and would, therefore, be unduly burdensome upon the operators of the numerous oil and gas wells and installations related thereto, located on the subject ranch, to require all of said installations to be fenced.

(11) That the subject application should be denied.

IT IS THEREFORE ORDERED:

(1) That the subject application is hereby denied.

(2) That the owners and operators of oil and gas wells and other related installations on the above-described lands are hereby admonished to properly construct and maintain said wells and installations in a workmanlike manner in order to afford reasonable protection against access to hydrocarbons or hydrocarbon impregnated substances by cattle on said premises.

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(3) That jurisdiction of this cause is retained for the entry of such further orders as the Commission may deem necessary.

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

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION


DAVID F. CARGO, Chairman


GUYTON B. HAYS, Member


A. L. PORTER, Jr., Member & Secretary

S E A L

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