

*entered December 2, 1971  
J.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 ON ITS OWN  
MOTION TO PERMIT HENRY S. BIRDSEYE AND ALL  
OTHER INTERESTED PERSONS TO APPEAR AND SHOW  
CAUSE WHY THE FOLLOWING-DESCRIBED WELLS IN  
THE CHACO WASH-MESAVERDE POOL IN TOWNSHIP 20  
NORTH, RANGE 9 WEST, MCKINLEY COUNTY, NEW  
MEXICO, SHOULD NOT BE PLUGGED AND ABANDONED  
IN ACCORDANCE WITH A COMMISSION-APPROVED  
PLUGGING PROGRAM.

CASE NO. 4554  
Order No. R-4227

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 10:30 a.m. on June 16, 1971, at Santa Fe, New Mexico, before Examiner Daniel S. Nutter.

NOW, on this 2nd day of December, 1971, the Commission, a quorum being present, having considered the testimony, the record, and the recommendations of the Examiner, 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 Henry S. Birdseye is the owner and operator of the Santa Fe Railroad Wells Nos. 1, 2, 3, and 4 and in Unit P of Section 21; Well No. 6 in Unit M of Section 22; and Wells Nos. 5, 7, 8, 9, 11, and 12 in Units D, D, C, F, D, and F, respectively, of Section 27, Township 20 North, Range 9 West, NMPM, Chaco Wash-Mesaverde Oil Pool, McKinley County, New Mexico.
- (3) That said Wells Nos. 1, 2, 4, and 7 are cased to the Mesaverde formation but are open to the atmosphere at the surface of the ground.
- (4) That said Wells Nos. 11 and 12 have not been cased and are open to the atmosphere.

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(5) That said Wells Nos. 8 and 9 have been plugged and abandoned.

(6) That said Wells Nos. 3 and 5 have been completed as producible oil wells at unorthodox locations.

(7) That Well No. 6 was drilled and completed as a producible oil well at an unorthodox location which has been approved.

(8) That in order to prevent waste and protect correlative rights said Wells Nos. 1, 2, 4, and 7 should be either plugged and abandoned or closed at the surface in accordance with a program approved by the Aztec District Office of the New Mexico Oil Conservation Commission on or before December 31, 1971.

(9) That in order to prevent waste and protect correlative rights said Well No. 11 should be either plugged and abandoned or cased and completed in accordance with a program approved by the Aztec Office of the New Mexico Oil Conservation Commission on or before December 31, 1971.

(10) That in order to prevent waste and protect correlative rights said Well No. 12 should be plugged and abandoned in accordance with a program approved by the Aztec Office of the New Mexico Oil Conservation Commission.

(11) That in order to prevent waste and protect correlative rights said Wells Nos. 3 and 5 should be plugged and abandoned in accordance with a program approved by the Aztec Office of the New Mexico Oil Conservation Commission or application for approval for the unorthodox locations received by the Secretary-Director of the New Mexico Oil Conservation Commission on or before December 31, 1971.

(12) That each of said Wells Nos. 1, 2, 3, 4, 5, 7, and 11 should be plugged and abandoned in accordance with a program approved by the Aztec Office of the Commission on or before December 31, 1971, if said well has not been placed on active production or injection by that time.

(13) That in order to prevent pollution of streams and surface damage, properly fenced surface pits should be constructed at the site of each well that is capable of producing and at the site of the central tank battery.

IT IS THEREFORE ORDERED:

(1) That Henry S. Birdseye is hereby ordered to either plug and abandon or effectively close at the surface each of his Wells Nos. 1, 2, and 4, located in Unit P of Section 21 and Well No. 7, located in Unit D of Section 27, Township 20 North, Range 9 West, Chaco Wash-Mesaverde Oil Pool, McKinley County, New Mexico, on or before December 31, 1971.

(2) That Henry S. Birdseye, is hereby ordered to plug and abandon or to case and complete his Well No. 11, located in Unit D of Section 27, Township 20 North, Range 9 West, Chaco Wash-Mesaverde Oil Pool, McKinley County, New Mexico, on or before December 31, 1971.

(3) That Henry S. Birdseye is hereby ordered to plug and abandon his Well No. 12, located in Unit F of Section 27, Township 20 North, Range 9 West, Chaco Wash-Mesaverde Oil Pool, McKinley County, New Mexico, on or before December 31, 1971.

(4) That Henry S. Birdseye is hereby ordered to apply to the Secretary-Director of the New Mexico Oil Conservation Commission for the approval for unorthodox locations for his Well No. 3, located in Unit P of Section 21 and his Well No. 5 located in Unit D of Section 27, Township 20 North, Range 9 West, Chaco Wash-Mesaverde Oil Pool, McKinley County, New Mexico, or to plug each of said wells in accordance with a program approved by the Aztec Office of the New Mexico Oil Conservation Commission on or before December 31, 1971.

(5) That Henry S. Birdseye is hereby ordered to plug and abandon each of the above-described Wells Nos. 1, 2, 3, 4, 5, 7, and 11, on or before December 31, 1971, if said well is not on active production or injection at said time.

(6) That Henry S. Birdseye is hereby ordered to construct a properly fenced surface pit at the site of each of his wells that is capable of producing in the Chaco Wash-Mesaverde Oil Pool and at the site of the central tank battery for said wells on or before December 31, 1971.

(7) That Henry S. Birdseye, prior to plugging and abandoning, effectively closing, or casing and completing any of the above-described wells, shall obtain from the Aztec Office of the

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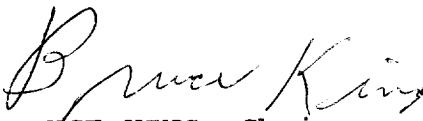
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Commission, a Commission-approved program for said plugging and abandoning, effectively closing, or casing and completing said well or wells, and shall notify said Aztec Office of the date and hour said work is to be commenced whereupon the Commission may, at its option, witness such work.

(8) 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

  
BRUCE KING, Chairman

  
ALEX J. ARMIJO, Member

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

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