

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

**APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION,
THROUGH THE SUPERVISOR OF DISTRICT II, FOR AN ORDER
AUTHORIZING THE DIVISION TO PLUG TWO (2) WELLS, EDDY COUNTY,
NEW MEXICO.**

CASE NO. 12983

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OIL CONSERVATION DIV

APPLICATION FOR PLUGGING

1. According to information in the files of the New Mexico Oil Conservation Division, the following wells ("the subject wells") were drilled and plugged in Eddy County, New Mexico, in 1940:

- Operator - E. Paul Moran
- Well Name - Ramuz #1
- Location - 660' from the North Line and 1980' from the West line (Unit C) of Section 18, Township 23 South, Range 26 East.
- Surface Owner - Mrs. Arvil Johnson

- Operator - Turner and Devito (also listed as Fred Turner on other paperwork)
- Well Name - Devito #1
- Location - 330' from the South Line and 1650' from the East line (Unit O) of Section 12, Township 23 South, Range 25 East.
- Surface Owner - United States Bureau of Land Management

The Division has no further information concerning the identity or whereabouts of the operators, and no production from said wells has been reported to the Division.

2. Recent investigation has determined that the subject wells are located within the City of Carlsbad's Wellhead Protection Area; the wells are not properly

plugged; and there exists a necessity to re-plug these wells for the protection of the public health and safety, groundwater and the environment.

3. The subject wells have not produced any hydrocarbon or carbon dioxide substance for more than one year and are no longer usable for beneficial purposes. No permit for temporary abandonment has been requested for either of said wells or approved by the Division.

4. By virtue of Operators' failure to use the subject wells for production or other beneficial purposes or to secure a current temporary abandonment permit, the subject wells are presumed abandoned, and are required to be properly plugged.

5. Division Rule 201.B, issued pursuant to the authority of NMSA 1978, Secs. 70-2-12 and 70-2-14, requires that wells that are inactive for more than one year or are no longer usable for beneficial purposes be properly plugged.

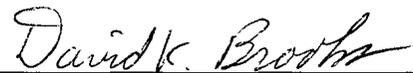
6. Division Rule 101.M, issued pursuant to the same authority, authorizes the Division, after notice and hearing, to order the operator to plug and abandon any well or wells not in compliance with Rule 201, and to direct the Division to cause such well or wells to be plugged in accordance with a Division approved plugging program if, after the time provided in such order, the operator and its surety, if any, have failed to do so.

7. In this case, the Division is unable to identify any operator of the subject wells, and due to the passage of time it is reasonable to presume that the named operators are deceased. No bonds purporting to cover the subject wells or the named operators are on file with the Division. Because the subject wells are not properly plugged and are endangering groundwater and the environment they constitute public nuisances, and the Division seeks authority to plug and abandon the same.

WHEREFORE, the Supervisor of District II of the Division hereby applies to the Director to enter an order:

- A. Determining whether the subject wells should be re-plugged and abandoned in accordance with a Division-approved plugging program.
- B. Authorizing the Division (i) to re-plug the subject wells in accordance with a division-approved plugging program; (ii) to take necessary and appropriate measures to recover from the operators (should the identity and whereabouts of the operator ever be discovered) all costs of re-plugging the subject wells.
- C. For such other and further relief as the Division deems just and proper under the circumstances.

RESPECTFULLY SUBMITTED,



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Conservation Division

Case No. 12982. **Application of the New Mexico Oil Conservation Division for an Order Authorizing the Division to Plug Two (2) Wells; Eddy County, New Mexico.** The Applicant seeks an order authorizing the Division to plug two abandoned wells in Eddy County, New Mexico, as to which the whereabouts of the operators are unknown, and providing for such other relief as the Director deems appropriate. The subject wells are the following:

- Operator - E. Paul Moran
- Well Name - Ramuz #1
- Location - 660' from the North Line and 1980' from the West line (Unit C) of Section 18, Township 23 South, Range 26 East.

- Operator - Turner and Devito (also listed as Fred Turner on other paperwork)
- Well Name - Devito #1
- Location - 330' from the South Line and 1650' from the East line (Unit O) of Section 12, Township 23 South, Range 25 East.