

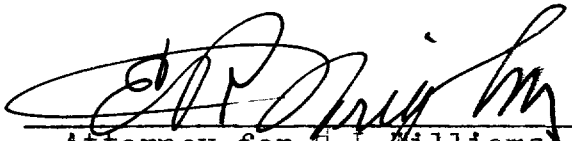
BEFORE THE OIL CONSERVATION COMMISSION OF THE STATE
OF NEW MEXICO

IN THE MATTER OF THE)
APPLICATION OF R. A. NIPPER)
AND DAVID FINKELSTEIN TO)
PULL CASING FROM CERTAIN WELLS. (

MOTION TO POSTPONE HEARING

Now comes H. L. Williams, of Prescott, Arizona,
by E. R. Wright, his attorney and moves the Commission
to postpone the hearing set for April 12, 1938 to
May 12, 1938, and in support of said motion files here-
with the affidavit of H. L. Williams, which he makes
a part of this motion.

Dated at Santa Fe, New Mexico, this 7th day
of April, A. D. 1938.



Attorney for H. L. Williams
Santa Fe, New Mexico

APR 7 1938

BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

In the Matter of the Application of R. A. NIPPER and DAVID FINKELSTEIN to pull casing from certain wells.

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AFFIDAVIT RESISTING APPLICATION AND
FOR POSTPONEMENT OF HEARING

STATE OF ARIZONA)
COUNTY OF YAVAPAI) ss.

H. L. Williams, being first duly sworn, deposes and says, That he is a resident of Prescott, Yavapai County, Arizona, and of lawful age. That he is the owner of the wells mentioned in the Application of R. A. Nipper and David Finkelstein, and holds a lease from Santa Fe Pacific Railway Company, on the ground in which said wells are located. That this deponent has never abandoned either of said wells or the lease upon which they are located. He denies that he ever sold the casing in said wells to Frank V. Quigley and Alexander O. Burnham, as alleged in the application. He states the facts to be that the casing in said wells does not, under the terms of the lease existing between himself and the Santa Fe Railway Company, consist of personal property. That such casing was not mentioned in the Bill of Sale, mentioned in the Application; and that in truth and in fact, it was well understood between deponent and his assignees that the well casing was not included under the terms of such Bill of Sale, but, on the contrary, that such casing was to remain in the ground to be used for further development under the terms of said oil and gas lease. That during the last year and a half deponent has spent more than \$4,925.80 in the payment of rentals for lease, covering the ground upon which said wells are located, and that he has made large expenditures for the purpose of developing said leased property, and to continue work thereon. That said wells are necessary to the further development of said property.

Deponent has a full and complete defense to the Application and desires to be present at the hearing. He will be unable, however, to appear and present his evidence at the hearing now fixed for the 12th day of April, 1938, and therefore, requests that the hearing be postponed for the period of thirty days. At any time on or after May 12, 1938, deponent can be present in order to present his defense to the Application.

Deponent is now making plans for the purpose of developing said lease and sinking said wells No. 3 and 4 to additional depth; said plans calling for expenditures of more than \$100,000.00 on the leased property.

WHEREFORE, deponent prays that the hearing in the above matter be continued for the period for at least 30 days, and upon such hearing, the application be denied.

H. L. Williams

Subscribed and sworn to before me this 4th day of April, 1938.

My commission expires

Dec 17, 1941

Della M. Kay
Notary Public