

WILSON CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

April 8, 1943

The Santa Fe New Mexican  
Santa Fe, New Mexico

Current-Argus  
Carlsbad, New Mexico

Re: Case No. 41 - Notice for Publication

Gentlemen:

Please publish the enclosed notice once, immediately.  
Please proof read the notice carefully and send a copy of the  
paper carrying such notice.

UPON COMPLETION OF THE PUBLICATION, PLEASE SEND  
PUBLISHER'S AFFIDAVIT.

For payment please submit statement in duplicate  
accompanied by voucher executed in duplicate. The vouchers  
must be signed by a notary in the space provided on the back  
of the voucher. The necessary voucher blanks are enclosed.

Very truly yours,  
John M. Kelly  
Director

By

Chief Clerk & Legal Advisor

CNL:MS

ILLEGIBLE

WIL CONSERVATION COMMISSIC  
SANTA FE, NEW MEXICO

P. O. Box 871

January 12, 1943

C  
Honorable Carl A. Hatch  
United States Senator  
Senate Office Building  
Washington, D. C.

My dear Senator Hatch:

O  
In reply to your airmail letter of January 9, possibly  
my letter of December 15 may not have come to your attention--  
the original was sent to Washington and a carbon copy to Clovis.  
A copy of that letter is enclosed for your information.

P  
This is to reassure you that the Commission has not  
overlooked the hearing upon your petition to modify Loco Hills  
Order No. 339 with regard to Aston & Fair, Schaurich Nos. 3  
and 4. The hearing on your petition is to be held next month.  
When the date is determined and publication started you will  
be notified immediately.

Y  
With kindest personal regards.

Very truly yours,

JOHN M. KELLY  
DIRECTOR

BY

Chief Clerk & Legal Advisor

CEL:MS

CARL A. HATCH, N. MEX., CHAIRMAN  
ROBERT F. WAGNER, N. Y.  
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RAYMOND E. WILLIS, IND.

W. H. MC MAINS, CLERK

## United States Senate

COMMITTEE ON  
PUBLIC LANDS AND SURVEYS

January 9, 1943.

Mr. Carl Livingston,  
State Land Office,  
Santa Fe, New Mexico.

Dear Carl:

I am writing again about the hearing on our application to distribute the allowable from Scheurich No. 4 to other wells described in our application. As I told you, I am afraid the present allowance is costing us, not only considerable money, but I am fearful now that the strain on this one well is too great and it may really jeopardize the life of the well itself.

I wish you would explain to the Commission that, while I do not want to be unduly insistent, nevertheless as long as everyone else has been agreeable to the new allocation proposed in the application, it doesn't seem quite right to us that all the burden of the input well be placed on one other well on the same lease. Certainly, it should be distributed a little more equally. Please have the Commission set a date for hearing and let me know when that date is, as I want to be present at the time to fully explain the situation.

With regards and all good wishes for the New Year, I am,

Sincerely yours,

CAH:EM





FREDERICK VAN NUYS, IND., CHAIRMAN  
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CARL A. HATCH, N. MEX.  
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WILLIAM LANGER, N. DAK.  
HAROLD H. BURTON, OHIO

## United States Senate

COMMITTEE ON THE JUDICIARY

BEN STERN, CLERK  
DIX. W. PRICE, ASST. CLERK

December 15, 1942.

Mr. John Kelly,  
New Mexico State Geologist,  
Santa Fe, New Mexico.

My dear John:

Some months ago I filed an application for myself and others concerning an input well in Loco Hills Field. Aston & Fair, C. A. Scheurich, myself and others had two producing wells on what is called the Scheurich lease. When the repressure maintenance plan was inaugurated one of these wells was used as an input well. The order permitted the allowable for both wells to be made from one well. This never seemed to me to be fair.

Stopping production from one well and using it for the benefit of all the surrounding territory by requiring the allowable to be made from the other well seemed to be unfair to us when other owners were getting the full benefit of the input well and were contributing nothing in the way of an allowable.

Mr. Aston and Mr. Fair recognized this inequity and signified their willingness to contribute from two adjoining wells which they own, letting the allowable for the input well be made from three or four adjoining wells instead of one.

Our application sets forth these things fully and asks permission to distribute the allowable in this manner but so far no action has been taken on the application. Before I left Washington I wrote the Commission asking that a time be set for hearing and that this inequity be corrected. To that letter I have had no reply.

Naturally, you can see that this condition is costing us a good deal of money all the time and while I would make any contribution to the life of the field, I can not help but believe those who benefit should make a reasonable contribution.

FREDERICK VAN NUYS, IND., CHAIRMAN  
PATRICK MCCARRAN, NEV.  
CARL A. HATCH, N. MEX.  
TOM CONNALLY, TEX.  
JOSEPH C. O'MAHONEY, WYO.  
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WILLIAM H. SMATHERS, N. J.  
HARLEY M. KILGORE, W. VA.  
ABE MURDOCK, UTAH  
ERNEST W. MC FARLAND, ARIZ.

GEORGE W. NORRIS, NEB.  
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ALEXANDER WILEY, WIS.  
WILLIAM LANGER, N. DAK.  
HAROLD H. BURTON, OHIO

## United States Senate

COMMITTEE ON THE JUDICIARY

BEN STERN, CLERK  
DIX. W. PRICE, ASST. CLERK

#2.

Will you please look up this file and advise me at your early convenience what if anything can be done.

With personal regards, I am

Sincerely yours,

A handwritten signature in cursive script that reads "Carl Hatch". The signature is written in black ink and is positioned to the right of the typed name.

CAH-FO

OIL CONSERVATION COMMISSION

SANTA FE, NEW MEXICO

P. O. Box 871

December 15, 1942

C  
O  
P  
Y  
  
Honorable Carl A. Hatch  
United States Senator  
Senate Office Building  
Washington, D. C.

Dear Senator Hatch:

Your petition with regard to modifying the Loco Hills Order No. 339 with regard to Aston & Fair, Scheurich Nos. 3 and 4, has not been overlooked.

It was thought that the Loco Hills Pressure Maintenance Association was going to include in their petition a request for a general revision including the matter you had in mind; however, that was not the case.

Hearing on your petition is to be held in February.

With kindest personal regards.

Very truly yours,

Carl B. Livingston  
Chief Clerk & Legal Advisor.

CEL:MS

WILSON CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

P. O. Box 871

June 18, 1942

C  
O  
P  
Y  
  
Honorable Carl A. Hatch  
U. S. Senator from New Mexico  
313 Senate Office Building  
Washington, D. C.

Dear Senator Hatch:

In view of the fact that a petition for general revision of Order No. 339, Loco Hills Pressure Maintenance Project, may come before the Commission within the near future, the Commission is deferring calling a hearing upon your petition for a month. For if a petition for general revision of the existing order is to be filed, then your matter could be considered under the petition of such general revision.

With kindest personal regards.

Cordially yours,

Carl B. Livingston  
Chief Clerk & Legal Advisor

CEL:MS

WATER CONSERVATION COMMISSION

SANTA FE, NEW MEXICO

P. O. Box 871

May 29, 1942

Honorable Carl A. Hatch  
U. S. Senator from New Mexico  
313 Senate Office Building  
Washington, D. C.

C

*William Spunk*

Re: Loco Hills Pressure Maintenance Project - Order No. 339

*B-2108-20934*

Re: Aston & Fair - Scheurich State No. 3, NMSW 32-17S-30E -  
Aston & Fair - Scheurich State No. 4, NESW 32-17S-30E-input well  
R. W. Fair - Kinfolks Trust State No. 3, SWNW 32-17S-30E  
Aston & Fair State 6B - SENW 32-17S-30E.

*All C.S. →  
Aug 34 →  
Aug 13 →  
Aug 35 →*

O

My dear Senator Hatch:

Your petition in the above captioned matter, submitted in your letter of May 25, will be brought to the attention of the Commission.

P

When the Commission has allowed the petition it sets the hearing and orders publication of Notice of Hearing as provided by law for the purpose of due process of law. You will be notified of whatever date the Commission may set.

Y

Since your petition contemplates an order of the Commission it should be supported by sworn testimony. As explained to you in the writer's letter of May 12 a hearing of this nature is necessary because your proposal is not within keeping of the existing order No. 339 now controlling in the matter. The hearing is public and open to all interested parties. Any interested party in the Loco Hills Pressure Maintenance Project would be within his rights to appear before the Commission and object or concur. If the petitioner is not represented at the hearing he might be running the risk of an objection that he could, if present, successfully meet.

With kindest personal regards.

Very truly yours,

Carl B. Livingston  
Chief Clerk & Legal Advisor.

CEL:MS

CARL A. HATCH, N. MEX., CHAIRMAN  
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JOSEPH C. O'MAHONEY, WYO.    CHAN GURNEY, S. DAK.  
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PAT MC CARRAN, NEV.          JOHN THOMAS, IDAHO  
CHARLES O. ANDREWS, FLA.     RAYMOND E. WILLIS, IND.  
JOSH LEE, OKLA.  
MON C. WALLGREN, WASH.  
ABE MURDOCK, UTAH  
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W. H. MC MAINS, CLERK

## United States Senate

COMMITTEE ON  
PUBLIC LANDS AND SURVEYS

May 25, 1942.

Mr. Carl B. Livingston,  
Chief Clerk and Legal Adviser,  
State Land Office,  
Santa Fe, New Mexico.

Dear Carl:

I have just now got around to preparing the petition for division of allowable on acreage we own in the Loco Hills field.

The petition is enclosed. Will you please see that the necessary order fixing the public hearing and notice thereof be entered as required. Let me know as soon as the order is made when the hearing will be held. In the meantime, I will be preparing the written consent for the owners of the other acreage to file. In view of the fact that everybody consents to this arrangement and that it will materially benefit the owners of the input well without doing any injury to the royalty owner, I am wondering if it will be necessary to appear at the hearing.

With personal regards, I am

Yours very truly,



CAH-VLF

P. O. Box 871

May 12, 1942

Honorable Carl A. Hatch  
U. S. Senator from New Mexico  
313 Senate Office Building  
Washington, D. C.

Re: Loco Hills Pressure Maintenance Project - Order No. 339

No: Aston & Fair - Scheurich State No. 3, NWSW 32-17S-30E  
Aston & Fair - Scheurich State No. 4, NESW 32-17S-30-input well  
R. W. Fair - Kinfolks Trust State No. 3, SWNW 32-17S-30E  
Aston & Fair State 6B - SENW 32-17S-30E.

My dear Senator Hatch:

Reference is made to your letter of May 4.

Without committing the Commission in any way as to its policies or decision, the procedure for presenting the matter to the Commission is as follows: the matter should be by formal petition and hearing before the Commission, in view of the fact that the matter desired is contrary to Section 3 of the order portion of Order No. 339, a copy of which is enclosed. That section in substance permits the following: where a well is used as an input well, the owner is allowed to take the allowable for such input well from another well or wells on the owner's lease. You seek to take the allowable for Scheurich No. 3 used as an input well as follows: one-half from Scheurich No. 4, which you state is upon the same lease as Scheurich No. 3, the input well, and the other half to be divided between two other wells not upon the same lease as the input well.

As already pointed out, the matter you seek involves a change in the existing order insofar as the particular wells in question are concerned. In that a change or modification of an existing order is involved a public hearing is required by reason of Section 15, Chapter 72, Laws of New Mexico, 1935:

"...before any rule, regulation or order, including revocation, change, renewal or extension thereof, shall be made under the provisions of this act, a public hearing shall be held at such time, place and manner as may be prescribed by the Commission. The Commission shall first give reasonable notice of such hearing (in no case less than ten days, except in an emergency) and at any such hearing any person having an interest in the subject matter of the hearing shall be entitled to be heard."

ILLEGIBLE

OIL CONSERVATION COMMISSION

SANTA FE, NEW MEXICO

Carl A. Hatch

-2-

5-12-42

Your petition should state the facts simply and should be accompanied by a plat. That plat or a similar one should be introduced into evidence at the hearing. The owners of the two wells not upon the lease of the input well from which one-half of the allowable of the input well is to be made should give their express consent at the hearing as a necessary part of the record. The petition should be verified.

C  
O  
P  
Y

For the purpose of simplicity you are fortunate in the fact that all four wells involved are upon 40 acre tracts of one basic ownership—that of common schools—so as not to complicate royalty matters for the basic owner.

I am sending you Circular No. 1 of the Commission with your attention directed to not only Section 15 but also Section 5 of the Oil Conservation Law.

With kindest personal regards, I am

Very truly yours,

Carl B. Livingston  
Chief Clerk & Legal Advisor

CBLS:MS

CARL A. HATCH, N. MEX., CHAIRMAN  
 ROBERT F. WAGNER, N. Y.      GERALD P. NYE, N. DAK.  
 JOSEPH C. O'MAHONEY, WYO.    CHAN GURNEY, S. DAK.  
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 JOSH LEE, OKLA.  
 MON C. WALLGREN, WASH.  
 ABE MURDOCK, UTAH  
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W. H. MC MAINS, CLERK

# United States Senate

COMMITTEE ON  
 PUBLIC LANDS AND SURVEYS

May 4, 1942

Mr. Carl Livingston  
 State Land Office  
 Santa Fe, New Mexico

My dear Carl:

I need some legal information and advice as to just how to proceed with the oil matter in which I have a personal interest. Mr. Scheurich and I, with associates, as you know, have two producing wells in the Loco Hills field. One of these wells is being used as an input well under the repressure plan in effect in that field. This is a state lease. Taking one of our wells for an input well requires us to make all of our oil from one well, which is just a little bit of heavy burden, we think, on us. Messrs. Fair and Aston have two wells on the same basic lease.

They have agreed that these two wells, Kinvolks-Trust State #1 SWNW 32-17-30 and Aston and Fair State #6B SENW 32-17-30, should join with the one Scheurich well to the extent of making up 1/2 of the allowable for the present input well thereby reducing the pull on the Scheurich #3.

*R. W. Fair*

*E (Fair & Aston)  
 F (A & Fair)*

Mr. Aston advises me that the Oil Conservation Committee, under the pressure maintenance contract, has full authority to issue an order providing for the output of the input well to be made up from the other wells on the same basic lease. We would like very much for the Commission to make the order as suggested by Aston and Fair.

Our lease on which the input well is located is the  $N\frac{1}{2}$  of the  $S\frac{1}{2}$  of Section 32, Township 17 South, Range 30 East. We want the Commission's order to allow Scheurich #3 on the above described acreage to make up one-half of the allowable for Scheurich #4, and the other one-half to be made up respectively between the wells owned by Aston and Fair, as hereinbefore set forth.

*Aston & Fair -  
 L (Fair & Aston)  
 K (Fair & Aston)*

*Aston & Fair*

Will you please advise me as to just what steps are necessary to make formal application? If, under the contract agreement, an informal application is sufficient, you may treat this letter as such application, as I am authorized to speak for the other associates in this matter.

Will you please address your reply to me at Washington, as I shall be leaving very shortly. My address there is 313 Senate Office Building, Washington, D. C.

With personal regards, I am

Very truly yours,

A handwritten signature in cursive script that reads "Carl Hatch". The signature is written in dark ink and is positioned to the right of the typed name.

CAH/DH

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

# WESTERN UNION

1201

SYMBOLS

DL = Day Letter  
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R. B. WHITE  
 PRESIDENT

NEWCOMB CARLTON  
 CHAIRMAN OF THE BOARD

J. C. WILLEVER  
 FIRST VICE-PRESIDENT

(19)

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

VC163 11 XC=CARLSBAD NMEX 26 445P

CARL LIVINGSTON=

26 APR 26 PM 5 30

OIL CONSERVATION COMMISSION SF=

AFFIDAVIT CASE 41 BEING SENT AIRMAIL SPECIAL SORRY FOR  
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F B RIGDON DAILY CURRENT-ARGUS.

41.

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R. B. WHITE  
PRESIDENT

NEWCOMB CARLTON  
CHAIRMAN OF THE BOARD

J. C. WILLEVER  
FIRST VICE-PRESIDENT

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

SANTA FE NEW MEXICO      APRIL 26, 1943

FLOYD RIGDON  
CURRENT ARGUS  
CARLSBAD, NEW MEXICO

PLEASE AIRMAIL IMMEDIATELY PUBLISHERS AFFIDAVIT CASE 41. HEARING  
TOMORROW.

CARL B. LIVINGSTON, CHIEF CLERK & LEGAL ADVISOR  
N. M. OIL CONSERVATION COMMISSION

SEND: STRAIGHT TELEGRAM  
CHG: OIL CONSERVATION COMMISSION

L CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

April 10, 1943

Honorable Carl A. Hatch  
United States Senator  
Senate Office Building  
Washington, D. C.

Re Case No. 41 - Objection to Loco Hills Order  
No. 339 - on petition of Aston & Fair, et al.  
Scheurich and Carl A. Hatch.

Dear Senator Hatch:

The hearing upon your petition in the above captioned matter is set for 10 A. M., April 27, together with other cases, at Santa Fe.

Some time ago you requested that Mr. C. A. Scheurich also be notified when your petition was set for hearing; accordingly Mr. Scheurich is being sent such a notice.

The permission sought in your petition has been carried by an emergency order renewed at semi-monthly expiration periods in order that the petitioners may be granted the relief sought pending the hearing and the promulgation of a permanent order.

With kindest personal regards.

Very truly yours,

John M. Kelly  
Director

By

Chief Clerk & Legal Advisor

CHELENS  
cc Aston & Fair  
321 White Building  
Roswell, N. M.

R. W. Fair  
Box 689  
Tyler, Texas

C. A. Scheurich, Clovis

**ILLEGIBLE**