

CASE NO. 48

BEFORE THE OIL CONSERVATION COMMISSION OF THE  
STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION OF M. R. ANTWEIL AND CONCHAS DEVELOPMENT COMPANY FOR AN ORDER DETERMINING AS ABANDONED THE SOUTHWESTERN DRILLING COMPANY, INC., WELL NO. 1, ON OR IN THE PROXIMITY OF THE NWNE SECTION 34, TOWNSHIP 17N, RANGE 21E, N.M.P.M., SAN MIGUEL COUNTY, NEW MEXICO: AND FURTHER "THAT SOUTHWESTERN DRILLING COMPANY, INC., AND AMERICAN SURETY COMPANY OF NEW YORK BE REQUIRED TO PROPERLY PULL SAID CASING NOW LOCATED IN SAID HOLE, AND TO PLUG SAID HOLE IN ACCORDANCE WITH THE LAWS OF THE STATE OF NEW MEXICO, AND THE RULES AND REGULATIONS OF THE NEW MEXICO OIL CONSERVATION COMMISSION, OR THAT PETITIONERS HEREIN BE GRANTED PERMISSION TO PULL SAID CASING AND PLUG SAID HOLE." THE ATTORNEYS FOR THE APPLICANTS HEREIN ARE NOBLE AND SPIESS, ESQUIRES, WHOSE ADDRESS IS LAS VEGAS, NEW MEXICO. THIS CASE IS SET FOR 10 O'CLOCK A. M., FEBRUARY 10, 1944, AT SANTA FE, NEW MEXICO.

Pursuant to notice by the Commission, duly made and published, setting February 10, 1944, at ten o'clock, a.m., for hearing in the above entitled matter, said hearing was convened on said day, at said hour, in the Coronado Room, La Fonda, Santa Fe, New Mexico, the Commission sitting as follows:

HON. JOHN M. KELLY, State Geologist, Secretary  
HON. H. R. RODGERS, Commissioner of Public Lands, Member  
HON. CARL B. LIVINGSTON, Chief Clerk and Legal Adviser.

APPEARANCES:

<u>NAME</u>	<u>COMPANY</u>	<u>ADDRESS</u>
John E. Miles	Self	Santa Fe, N. M.
W. E. Hubbard	Humble Oil & Refining Company	
John House	Humble Oil & Refining Company	
Nelson Jones	Humble Oil & Refining Company	
Raymond Lamb	Continental Oil Company	Hobbs, N. M.
M. R. Antweil	Hobbs Pipe & Supply Company	Hobbs, N. M.
M. E. Noble (Atty)	Hobbs Pipe & Supply Company and Conchas Development Company	Las Vegas, N. M.
Neil B. Watson (Atty)	Loco Hills Pressure Maintenance Association, Inc.	
C. H. Rankin	Great Lakes Carbon Company	

The meeting was called to order by the Chairman, and upon request of the Secretary, the Chief Clerk read the call of the meeting, as follows:

\*NOTICE OF PUBLICATION  
STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION

The Oil Conservation Commission, by law invested with jurisdiction as the oil and gas regulatory body of the State of New Mexico, hereby gives notice of the following hearing to be held at Santa Fe, New Mexico:

CASE NO. 48

In the matter of the application of M. R. Antweil and Conchas Development Company for an order determining as abandoned the Southwestern Drilling Company, Inc., Well No. 1, on or in the proximity of the NWNE Section 34, Township 17N, Range 21E, N.M.P.M., San Miguel County, New Mexico; and further "that Southwestern Drilling Company, Inc. and American Surety Company of New York be required to properly pull said casing now located in said hole, and to plug said hole in accordance with the laws of the State of New Mexico, and the rules and regulations of the New Mexico Oil Conservation Commission, or that petitioners herein be granted permission to pull said casing and plug said hole." The attorneys for the applicants herein are Noble & Spiess, Esquires, whose address is Las Vegas, New Mexico. This case is set for 10 o'clock A.M., February 10, 1944, at Santa Fe, New Mexico.

Any person having any interest in the subject of said hearing shall be entitled to be heard.

The foregoing Notice of Publication was made pursuant to the direction of the Commission at its Executive Meeting January 24, 1944.

Given under the seal of said Commission at Santa Fe, New Mexico, on January 25, 1944.

OIL CONSERVATION COMMISSION

BY (SGD) JOHN M. KELLY

JOHN M. KELLY  
SECRETARY

S E A L

BY MR. M. E. NOBLE - ATTORNEY.

At this time I would like to withdraw a portion of the petition requiring the Southwest Drilling Company and The American Surety Company to pull the casing and plug the well. Order permitting petitioners to do so, a letter of the American Surety Company I think has been received by the Commission, withdrawing any objections to the plugging of the well and pulling of the casing, provided they are not required to do so themselves. The motion which we would now like to file is:

"BEFORE THE NEW MEXICO OIL CONSERVATION COMMISSION

In re: Plugging Well  
NW $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 34-17-21

MOTION TO WITHDRAW PORTION OF PETITION  
TO PLUG WELL

"Comes now M. R. Antweil and Conchas Development Company, Petitioners in the above entitled matter, and respectfully represent and show to the Commission:

"1. That petition has heretofore been filed by these petitioners in the alternative requesting either that American Surety Company of New York be required to properly pull the casing now located in the hole in the well heretofore drilled by Southwestern Drilling Company, Inc. on the NW $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 34, Township 17N, Range 21 E. N. M. P. M. and to plug said hole in accordance with the laws of the State of New Mexico, or that Petitioner herein be granted permission to pull said casing and plug said well.

"2. That American Surety Company of New York has agreed to consent that an order be issued by the Commission granting Petitioners the right to pull the casing now located in said hole and to plug the well in accordance with the laws of the State of New Mexico, provided the petitioners herein agree that no order be entered herein requiring that American Surety Company of New York be required to pull said casing or plug said hole.

"Wherefore, petitioner herein requests permission to withdraw that portion of the petition in the above entitled matter which requests an order of this Commission requiring American Surety Company of New York to pull the casing and plug said hole; said portion of said petition to be withdrawn upon American Surety Company of New York filing in writing an agreement that an order of this Commission be entered permitting the petitioners herein to pull said casing and plug said hole.

(Sgd.) Noble & Speiss  
Attorneys for Petitioners "

The well was commenced by the Southwestern Drilling Company, and by the way, if the Commission wants evidence on that I could bring over someone from the State Corporation Commission to show the authority of the Southwestern Drilling Company to do business in the state of New Mexico was forfeited June 12, 1942.

BY MR. KELLY: The Commission will examine the Corporation Commission's records.

BY MR. NOBLE: File No. 12,732, Civil Docket, District Court of San Miguel County - Conchas Development Company vs. Southwestern Drilling Company - In this action, complaint was filed on the 30th day of October 1940 by Iverson Tool Company against Southwest Drilling Company, seeking to foreclose liens which Iverson Tool Company had against Southwest Drilling Company for certain tools and repair of tools in connection with this well. Complaint seeks judgment against the company for \$7,007.73

together with interest and requests judgment of the court that their claim be declared first and prior lien on all property of the Southwest Drilling Company, as against the well and certain property named in the complaint. There were a number of other parties to the action. One intervention by Cecil Noll, workman at the well - a driller, seeking a lien for his unpaid wages on the well, and one filed by J.T. Hill and L. H. Bogart that they had claimed judgment against the Southwest Drilling Company for monies loaned to the Company. The only purpose of showing the preceding in this is to show that all the property used in the drilling of the well was foreclosed under liens by various persons. Report of special master's sale was filed August 11, 1942, in this case, showing that the sale was held by special master appointed by the court, held in 1942, foreclosing lien, selling pipe and a list of tools and equipment.

BY MR. KELLY: The Commission would like to know the status of the well at the present time.

BY MR. NOBLE: There has been no appeal and the property has all been sold and disposed of, and is no longer at the well.

BY MR. LIVINGSTON: The Southwestern Drilling Company has not re-purchased the property?

BY MR. NOBLE: No sir.

MR. M. E. NOBLE

being first duly sworn to tell the truth, the whole truth and nothing but the truth, testified as follows:

BY MR. KELLY: What is the present status of the well?

BY MR. NOBLE: I have not been out to the well itself since sometime last summer, but I was out during the summer, and have been out a number of times since the judgment was entered in this case, we represent the Roxana Oil Company, and they purchased some of the equipment on which the lien was foreclosed. The last time I was out there, probably 6 or 7 months ago, there was nothing at the well at that time with the exception of an 84 foot wooden derrick - nothing on it. Stripped down and no equipment there or on the ground, has not been any drilling done on the well since prior to several months prior to the time the judgment was entered

in this case in 1942. My best recollection is that there has not been anything done since 1941. The judgment was entered on October 13, 1942 by the Roxana Oil Company.

MORRIS ANTWEIL

being first duly sworn to tell the truth, the whole truth and nothing but the truth, testified as follows:

BY MR. NOBLE: Have you been out to this well?

BY MR. ANTWEIL: I was at the well about in February of last year, and there was nothing there but a wooden derrick - no tools on it.

BY MR. KELLY: Your report will confirm Mr. Noble's?

BY MR. ANTWEIL: Yes sir.

BY MR. KELLY: When our oil and gas inspector returns and reports in, his testimony as to the condition of the well will be put into the record. The Commission introduces a letter received by it from the American Surety Company stating premiums have not been paid since 1942. Bulletin No. 18 Record of the New Mexico School of Mines/Page 13 - "Samples from the lower 1,700 feet of Southwest Drilling Company's No. 1 Conchas Development Company well, drilled on Cherryvale dome, sec. 34, T. 17N., R. 21 E., San Miguel County, were examined by Bates who reports 400 feet of red shales and sandstones, which resemble the Abo formation, resting on schists at a depth of 2,565 feet. x x x x x x x x x x "

Any further witnesses to be heard - If not the Commission will take the case under advisement, and furnish a decision when given the bond.

Any further business ?

Meeting adjourned.

C E R T I F I C A T E

I hereby certify that the foregoing and attached 4½ pages of type-written matter constitute a true, correct and complete transcript of the shorthand notes taken by me in case No. 48 on the 10th of February 1944, and that the "Motion to withdraw portion of petition to plug well", is an exact copy of Exhibit No. 1, for this case.

Witness my hand this 15th day of February 1944.

Walter Fowler