

BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION)
OF WILLIAMS & REED FOR APPROVAL)
OF AN UNORTHODOX WELL LOCATION.)

CASE NO. 301.

APPLICATION

TO THE HONORABLE OIL CONSERVATION COMMISSION, STATE OF NEW MEXICO:

Petitioner herein, Williams & Reed, P.O. Box 1086, Artesia, New Mexico, appearing by their attorneys, Archer & Dillard, hereby makes application for a hearing to obtain the Commission's approval for the unorthodox location of an oil well which is now being drilled in the Artesia Pool by Williams & Reed as their No. 6 State well, in NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 18 South, Range 28 East, N.M.P.M., Eddy County, New Mexico, same being located 1595 feet from the East line and 1180 feet from the South line of said Section 17. This location was the result of a survey later discovered to be incorrect.

The only other persons interested in property located within 660 feet of said well now being drilled is as follows:

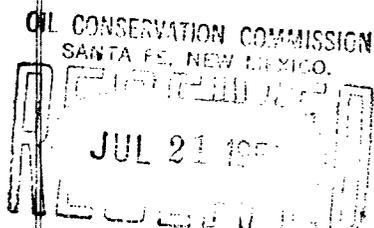
NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 17:	W. H. Ritchey, R.F.D. #1, Hartman, Arkansas,
NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 17:	V. S. Welch, Artesia, New Mexico,
S $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 17:	Ruth L. Williams, 6820 Marconi Ave., Huntington Park, Calif.,

(the said Ruth L. Williams being the wife of H.E. Williams of the firm of Williams & Reed, petitioner herein and she having a sub-lease arrangement with petitioner as to her acreage) and we are today writing W. H. Ritchey, V. S. Welch, and Ruth L. Williams, for their entry of general appearance herein, their waiver of any objections to the request made herein, and their consent to your approval of this Application without any further notice to them.

This shallow well has casing set at 500 feet and is about to be completed, and it is respectfully requested that notice be given, and a hearing be held on this Application at the earliest practicable date so that the oil may be sold.

ARCHER & DILLARD,

by *Archer & Dillard*
202 Booker Bldg.,
Artesia, New Mexico,
Attorneys for Petitioner.



NOTICES OF PUBLICATION CASE 301
(For Hearing on August 21, 1951)

Santa Fe New Mexican	August 10, 1951
Hobbs Daily News Sun	August 10, 1951
Carlsbad Current Argus	August 12, 1951

OIL & GAS COMMISSION
STATE OF NEW MEXICO
AUG 20 1951

BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION)
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OF UNORTHODOX WELL LOCATION.)

CASE NO. 301

SEPARATE RESPONSE AND OBJECTIONS OF W. H. RITCHEY,
CLARKSVILLE, ARKANSAS TO APPLICATION

Comes now W. H. Ritchey, 614 Miller Street, Clarksville, Arkansas, appearing by and through his attorney, George O. Patterson, Patterson Building, Clarksville, Arkansas, and files this as his separate response and objections to the application filed by the petitioner, Williams & Reed, P. O. Box 1086, Artesia, New Mexico, for the approval of this Commission for the unorthodox location of an oil well now in course of being drilled in the Artesia Pool by said petitioner as their No. 6 State Well, and for such response and objections, states:

1. That respondent, W. H. Ritchey, is as alleged and set forth in said application an interested party in property located within 660 feet of said well now being drilled.

2. That respondent is informed and believes, and therefore alleges that if the petitioner is permitted to continue the drilling of its said well as aforesaid in the Northeast Quarter of the Southwest Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Seventeen (17), Township Eighteen (18) South, Range Twenty-eight (28) N.M.P.M., Eddy County, New Mexico, and to pursue the same to production, that production from said well, by reason of its proximity to the boundary line of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section, Township and Range, upon which this respondent holds a leasehold interest, would drain from said forty-acre tract in which respondent has such interest oil, gas or petroleum; and that the granting of approval to said unorthodox location under such circumstances would in effect defeat the purpose and intent of the Rules and Regulations of this Commission and the laws of the State of New Mexico in that the same would permit the taking of oil from a prohibited area to the damage of this respondent in his ownership of said interest in the said forty-acre tract above described which lies to the north of said well.

3. That said application does not set forth facts entitling petitioner, Williams & Reed, to an approval of such unorthodox location of said oil well, or that the approval thereof would be for the best interests for the conservation of oil, gas and/or petroleum products, or that the approval of said location and the taking of oil from said well would not in any manner damage the rights of adjoining land owners or leaseholders, but merely states that the location was the result of a mistake made in a survey.

WHEREFORE, your respondent prays:

(a) That upon hearing of said application petitioner be held to strict proof and shewing that the granting and approval of such location would not be injurious to the persons interested in the property located within 660 feet of said well, and

(b) That upon final hearing said application be in all things disapproved and denied.

RESPECTFULLY SUBMITTED

W. H. RITCHEY, 614 Miller Street
Clarksville, Arkansas

By *George O. Patterson* ^{Attorney}
George O. Patterson, Patterson Building,
Clarksville, Arkansas

BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION)
OF WILLIAMS & REED FOR APPROVAL) CASE NO. 301
OF UNORTHODOX WELL LOCATION.) ORDER R-99

PETITION FOR REHEARING

Comes now W. H. Ritchey, 614 Miller Street, Clarksville, Arkansas, by and through his attorney, George O. Patterson, Clarksville, Arkansas, and files this as his petition for rehearing and reconsideration by this Commission or its Order heretofore made in this cause dated October 15, 1951, and by special permission of this Commission enlarging the time to file this said petition for rehearing, and respectfully requests this Commission that it rehear and reconsider its said Order of October 15, 1951 granting approval to the application of Williams & Reed approving an unorthodox location for an oil well for its said State Well No. 6 situated on the 40-acre tract lying to the south of this petitioner, and for cause therefor states:

1. That said Order is erroneous and prejudicial to this petitioner in the following particulars, to-wit:

(a) That the approval of said unorthodox location permitting the completion of said State Well No. 6 of Williams & Reed in such close proximity to the boundary line of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Seventeen (17), Township Eighteen (18) South, Range Twenty-eight (28) N.M. P.M., Eddy County, New Mexico that production of oil therefrom would likely drain oil and gas from said 40-acre tract in which said petitioner, W. H. Ritchey, holds a leasehold interest as would damage and become greatly prejudicial to this petitioner in his ownership of said leasehold interest in said 40-acre tract to the north, and that this petitioner has no adequate remedy at law or in equity to protect his said rights against such damage in the event such would occur, which petitioner is informed and believes, and therefore alleges, would occur to his said damage.

(b) That said Order is erroneous in the further respect that the granting of approval to said unorthodox location under such circumstances defeats the purpose and intent of the Rules and Regulations of this Commission

and the laws of the State of New Mexico in that the same will permit the taking of oil and gas from a prohibited area to the damage of this petitioner in his ownership of said interest in said 40-acre tract of land lying to the north of said unorthodox location of said well.

(c) That the evidence considered in rendering said Order is insufficient to show that to permit the taking of oil and gas from said approved location so close to the boundary of petitioner's leasehold interest would prevent drainage or damage to said petitioner's interest under his lease, and is insufficient to show that the petitioner would not be damaged; but such finding that such unorthodox location would not injure said petitioner is based upon speculation and is therefore erroneous.

(d) That the application filed by said applicant, Williams & Reed, for approval of said unorthodox location did not set forth facts sufficient to hear and consider evidence affecting the rights of adjoining landowners or leaseholders, but asked approval solely upon the ground that the location of said well was the result of a mistake in a survey.

(e) That said Order is otherwise erroneous and contrary to the laws of the State of New Mexico and the Act of the General Assembly thereof creating this Commission.

WHEREFORE, your petitioner prays that he be granted a rehearing and reconsideration in this cause, and that upon such rehearing and reconsideration, said Order of October 15, 1951 granting approval of this Commission to the unorthodox location of said well of Williams & Reed be set aside and held for naught.

RESPECTFULLY SUBMITTED

W. H. RITCHEY

By George O. Patterson
His Attorney

STATE OF ARKANSAS)
County of Johnson)

George O. Patterson states on oath that he is attorney for W. H. Ritchey, petitioner in the above and foregoing Petition for Rehearing; that the said W. H. Ritchey is temporarily absent from Johnson County, Arkansas; that said attorney has read the above and foregoing Petition and verily believes that the same states a meritorious reason for the granting of such rehearing, and that the same is not filed for the purpose of delay.

George O. Patterson

Subscribed and sworn to before me, a Notary Public, on this 26th day of November, 1951.

Notary Public