

**PCA**

# POTASH COMPANY OF AMERICA

MINE AND REFINERY: P. O. BOX 31 • CARLSBAD, NEW MEXICO 88220 • AREA CODE 505 • TU 7-2844

December 17, 1964

R. H. BLACKMAN  
RESIDENT COUNSEL

J. M. Durrett, Jr., Esq.  
Oil Conservation Commission of  
New Mexico,  
P. O. Box 2088  
Santa Fe, New Mexico

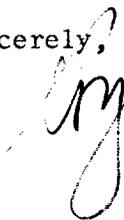
Re: Appeal of Pan American  
Petroleum Corporation  
Eddy County District Court  
No. 22060

Dear Jim:

I enclose a copy of a Response of Potash Company of America  
in the above matter, which will be filed today in the Eddy  
County District Court.

Best personal wishes,

Sincerely,



RHB/b  
Enc.



MEMBER: AMERICAN POTASH INSTITUTE

IN THE DISTRICT COURT OF EDDY COUNTY  
STATE OF NEW MEXICO

MAILED  
64 DEC 18 PM 4

PAN AMERICAN PETROLEUM  
CORPORATION, a corporation

Petitioner,

v.

No. 22060

OIL CONSERVATION COMMISSION  
OF NEW MEXICO, Jack M. Camp-  
bell, Chairman, E. S. Walker,  
Member, A. L. Porter, Jr.,  
Member and Secretary, and  
POTASH COMPANY OF AMERICA,  
a corporation,

Respondents.

RESPONSE OF POTASH COMPANY OF AMERICA

Comes now Potash Company of America, a corporation,  
and responds to the Petition for Review heretofore filed herein  
as follows:

1. Admits the allegations of paragraphs 1 through 6  
of said Petition for Review except that (A) it denies that  
Order No. R-2772-A in Case No. 3029 was entered on or about the  
23rd day of October, 1964, as averred in paragraph 4 of the  
Petition for Review, and states that said Order was entered on  
October 21, 1964; and (B) it denies that the proposed locations  
described in the application of Pan American Petroleum Corpor-  
ation for authority to drill a well are in the SW/4 of Section 17,  
Township 20 South, Range 30 East, N.M.P.M., Eddy County, New  
Mexico, as averred in paragraph 3 of the Petition for Review,  
and states that such proposed locations are in the SE/4 of said  
section.

2. Denies each and every allegation contained in paragraphs 7 through 14, inclusive, of said Petition for Review.

FIRST DEFENSE

The Petition for Review was not timely filed.

SECOND DEFENSE

The Petition for Review fails to state a claim upon which relief can be granted.

WHEREFORE, Respondent Potash Company of America prays:

1. That the Petition for Review be dismissed.
2. That Oil Conservation Commission Orders Nos. R-2772 and R-2772-A be affirmed.
3. That the Court grant this Respondent such other and further relief as the Court may deem proper.

Davis, Graham & Stubbs  
American National Bank Building  
Denver 2, Colorado 80202

*Donald S. Stubbs*  
*By W. H. Blackman*

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*W. H. Blackman*

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R. H. Blackman  
P. O. Box 31  
Carlsbad, New Mexico 88220  
Attorneys for  
Potash Company of America

I hereby certify that on  
the 17 day of December,  
1964, a copy of the foregoing  
pleading was mailed to opposing  
counsel of record.

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R. H. Blackman