

New Mexico
Oil Conservation Commission
Santa Fe, New Mexico

GOVERNOR CLYDE TINGLEY, Chairman
STATE GEOLOGIST G. D. MACY, Member
STATE LAND COMMISSIONER FRANK WORDEN,
Secretary



August 13, 1937.

Hon. Guy Shepard,
Oil and Gas Inspector,
Hobbs, New Mexico.

Re: V.H. McNutt Well #1,
SW $\frac{1}{4}$, Sec. 21-18S-28E.
V.H. McNutt Well #5,
SW $\frac{1}{4}$, Sec. 21-18S-28E.
V. H. McNutt Well #8,
SW $\frac{1}{4}$, Sec. 21-18S-28E.
Oil & Gas Lease #647,
Assignment #297.

Dear Guy:

In response to your letter of August 6th, relative to the above designated wells, I have drafted a letter, from the legal standpoint, with reference to plugging. Since this is within your particular territory and sphere, I am not sending the letter, but am enclosing it and if you wish, you may send it on or re-draft it and sign it in your official capacity.

Regarding the request for permission to pull the casing, you did not say who was making this application. I do know it has occurred sometimes in the past that applications to plug and pull casing have come from parties who wish the Oil Conservation Commission to allow them to do the plugging for the casing. Be sure to avoid any situation of this kind, because the Commission, since the repeal of the old State Geologist Law, has no longer any lien of any kind and cannot in any way pass title to casing even though the well has been abandoned improperly.

In the event someone is to plug an old abandoned well, make it clear that you are not trying to pass title to casing. Let the plugger take care of that. One safe measure that could be taken with regard to old abandoned unplugged wells is this: Have the Commission cite the parties, if they are known, and if not known the particular wells, to show cause why the Commission shall not take steps to plug the wells in question. In that way, we make a case of it. With service by publication, evidence is adduced and the Commission hands down its judgment in the form of a court order. This procedure is important in this: Unless procedure of this kind is followed, some owner of an apparently abandoned

