

Casa No.

17

Application, Transcript,  
Small Exhibits, Etc.

Camden Oil Co.

Long 201

W 22-12N-22E

Plugging approach  
Shut off 3/25/40

W 22-12N-22E

March 28, 1940

Atwood & Malone  
Attorneys at Law  
Roswell, New Mexico

Re: \$5,000.00 drilling bond with Iverson  
Tool Company, Principal, and American  
Employers Ins. Co., Surety, for one well  
upon NE1NE1, Sec. 22-12E-22E.

ATTENTION: Honorable Ross L. Malone, Jr.

Gentlemen:

The well covered by the bond noted in the  
caption has the status of approved abandonment  
as of March 25, 1940, and said bond is hereby  
cancelled as of that date.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik

cc - Mr. Roy Yarbrough  
cc - Mr. Glenn Staley  
cc - Mr. A. Andreas  
cc - American Employers' Ins. Co.

February 21, 1940

C  
O  
P  
Y  
  
Honorable Ross L. Malone  
Attorney at Law  
Roswell, New Mexico

Re: Petition of Iverson Tool Company,  
Case No. 17, Order No. 242.

Re: \$5,000.00 drilling bond with Iverson  
Tool Company, Principal, and American  
Employers' Ins. Co., Surety, for  
one well upon NEHSEI, Sec. 22-12N-22E.

Dear Mr. Malone:

Enclosed please find copy of the Commis-  
sion's order designated in the caption, and one  
triplicate original of Notice of Intention to  
Plug Well upon Form C-102 approved by the  
Commission.

The drilling bond noted in the caption is  
accepted by the Commission.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl N. Livingston  
Attorney

CBL:ik  
Encls.



NEW MEXICO STATE LAND OFFICE

February 21, 1940

C  
O  
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Y  
  
Honorable E. R. Wright  
Attorney at Law  
Santa Fe, New Mexico

Re: Petition of Iverson Tool Company,  
Case No. 17, Order No. 242.

My dear Judge Wright:

Enclosed is a copy of the order adopted  
by the Commission in connection with the petition  
noted in the caption.

Very truly yours,

OIL CONSERVATION COMMISSION

By \_\_\_\_\_  
Carl B. Livingston  
Attorney

CBL:ik  
Enc.

OIL CONSERVATION COMMISSION

February 13, 1940

C  
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Y  
  
Mr. S. J. Iverson  
Iverson Tool Company  
Fort Worth Club Bldg.  
Fort Worth, Texas

Re: Application of Iverson Tool Company to  
have determined as abandoned the Cabra  
Springs Oil & Gas Company-North American  
Investment Co. No. 1 Well, to withdraw  
casing therefrom, and to plug same, Case #17.

Dear Mr. Iverson:

Your letter of February 12 will be called to the  
attention of the Commission.

As your attorney, Mr. Ross Malone was not long  
ago informed that the Commission as a Court has the  
matter in the caption under advisement. You must  
remember that the Commission is sitting in its capacity  
as a court. You will be informed promptly as to whatever  
decision it makes when it meets, which perhaps will  
be within a short time. The majority of the Commission  
has been attending the Cole Committee hearing in Washington,  
and those members who attended that hearing are expected  
back to Santa Fe soon.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:1k

# IVERSON TOOL COMPANY

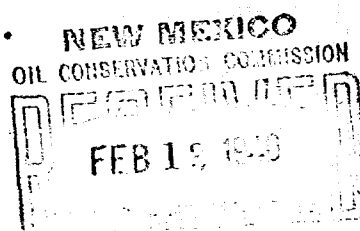
## OIL WELL SUPPLIES

GENERAL OFFICES  
BOX 1227  
TULSA, OKLA.

FORT WORTH CLUB BLDG.

FORT WORTH, TEXAS

February 12, 1940.



BRANCHES AT  
FAIRFAX, OKLAHOMA  
OKLAHOMA CITY, OKLAHOMA  
OKMULGEE, OKLAHOMA  
TULSA, OKLAHOMA  
ARTESIA, NEW MEXICO  
SALEM, ILLINOIS  
BORGER, TEXAS  
KILGORE, TEXAS  
ODESSA, TEXAS  
PAMPA, TEXAS  
WINK, TEXAS

Oil Conservation Commission,  
Santa Fe, New Mexico.

Gentlemen:

Re: Iverson Tool Company to  
plug abandoned well located  
on Cabra Springs Oil and  
Gas Co. lease, San Miguel  
County, New Mexico.

We would appreciate a decision on the hearing that was held for us at Santa Fe by the Commission on December 6, 1939. It has been over sixty days since this hearing was held and to date Mr. Edwards, President of Cabra Springs Oil and Gas Company, has made us no offer to purchase the pipe or the material which we have owned since May 1939. We have satisfied ourselves that Mr. Edwards is not financially able to purchase this material, and we know definitely that it is thoroughly a promotional enterprise.

We have made our plugging bond and it is filed with the Commission. We are ready to plug and abandon this well according to the Commission's instructions which we have already received. We are only waiting for your permission to plug and abandon and would appreciate hearing from you at your earliest convenience.

Yours very truly,

IVERSON TOOL COMPANY

*S. J. Iverson*  
S. J. Iverson

531:FM

OIL CONSERVATION COMMISSION

February 5, 1940

C  
O  
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Y  
  
Honorable Ross L. Malone, Jr.  
Attorney at Law  
J. P. White Building  
Roswell, New Mexico

Re: Petition of Iverson Tool Company to  
plug abandoned well claimed by Cabra  
Springs Oil and Gas Company.

My dear Mr. Malone:

This is to acknowledge receipt of your letter  
of February 2 with reference to the above captioned  
matter.

Your letter will come to the attention of the  
members of the Commission.

Very truly yours,

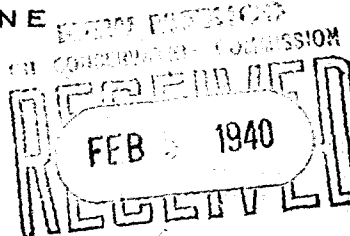
OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik

ATWOOD & MALONE  
LAWYERS

JEFF D. ATWOOD  
ROSS L. MALONE, JR.



J. P. WHITE BUILDING  
ROSWELL, NEW MEXICO

February 2, 1940

Oil Conservation Commission  
Santa Fe, New Mexico

Re: Petition of Iverson Tool  
Company to Plug Abandoned  
Well Claimed by Cabra  
Springs Oil and Gas Com-  
pany.

Gentlemen:

Some time having elapsed since the hearing in this matter was held before the Commission on December 6, 1939, it occurred to us that the Commission should be advised that there has been no change whatever in the situation with reference to the abandonment of this well which was presented to the Commission at the time of the hearing.

While the president of Cabra Springs Oil and Gas Company at that time stated that he would be able to make a settlement with Iverson Tool Company within 60 days, the 60 days will have elapsed within the week and Iverson Tool Company has not even been approached by Mr. Edwards in that connection. As we have previously stated, the financial disability of Cabra Springs Oil and Gas Company has been so thoroughly demonstrated in the past that Iverson Tool Company has concluded that there is no hope of such arrangement and is insisting upon its right to plug this well as an abandoned well under the supervision of the Commission.

The Commission can appreciate the fact that by reason of the time previously elapsed in this matter, Iverson Tool Company, and we believe likewise Mr. Edwards, are most anxious that the decision of the Commission be rendered at the earliest possible time.

It will be greatly appreciated if the disposition of this matter may be expedited in any way possible.

With kindest regards, we are

Very truly yours,

ATWOOD & MALONE

By: *Ross L. Malone, Jr.*

RLM:gb  
cc: E. R. Wright, Esq.



Hotel Plummer

FOURTEENTH AND BALTIMORE AVENUE  
KANSAS CITY, MISSOURI

FRANK J. DEAN  
PRESIDENT

Mr. Carl Livingston,  
Santa Fe, N. M.

January 29, 1940.

Dear Mr. Livingston:-

Just a line to let you know I  
am finally getting in position to go  
ahead with the Cobra springs well.

The Cobra springs Oil & Gas Company  
annual meeting was held in Las Vegas  
the 16th. I wanted to come over to  
Santa Fe but conditions pulled  
me on.

With best wishes to you and  
Mr. Worden, I am

yours very truly,  
David J. Edwards.

OIL CONSERVATION COMMISSION

January 31, 1940

Mr. David J. Edwards  
Hotel President  
Kansas City, Missouri

Re: Application of Iverson Tool Company  
to declare as abandoned Cabra Springs  
Well, San Miguel County, and to with-  
draw casing.

Dear Mr. Edwards:

Reference is had to your letter of January 29. It is noted that you state that you are "finally getting in a position to go ahead with the Cabra Springs Well."

The petitioner, the Iverson Tool Company, has not withdrawn its petition or filed a motion for dismissal, nor has there been any indication to do either.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik

cc - P. O. Box 278  
Santa Rosa, New Mexico

C  
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*Exhibit "A"*

# IVERSON TOOL COMPANY

## OIL WELL SUPPLIES

GENERAL OFFICES  
Box 1227  
TULSA, OKLA.

FORT WORTH CLUB BLDG.

FORT WORTH, TEXAS

July 10, 1939

BRANCHES AT  
FAIRFAX, OKLAHOMA  
OKLAHOMA CITY, OKLAHOMA  
OKMULGEE, OKLAHOMA  
TULSA, OKLAHOMA  
ARTESIA, NEW MEXICO  
SALEM, ILLINOIS  
BORGER, TEXAS  
KILGORE, TEXAS  
ODESSA, TEXAS  
PAMPA, TEXAS  
WINK, TEXAS

*Cross again 8/1/39 -  
to cooperate with me  
instead of fussing.*

Mr. David J. Edwards,  
Hotel President,  
Kansas City, Missouri.

Dear Mr. Edwards:

I received your letter of July 1 in regard to raising some money to buy the salvage material which we recently purchased through the district court in San Miguel County.

We wish to advise we do not intend to sell this to you as we are going to pull same and sell it for a profit. We have applied for a plugging permit and do not intend to give you an option indefinitely. We will, however, sell to you providing you want to pay the price. As you are not cooperating with us in regard to plugging of the well and since you have taken that attitude, we will only sell to you providing you will pay our price. In other words, you have no option on this material in any way from Iverson Tool Company.

Yours very truly,

IVERSON TOOL COMPANY

*S. J. Iverson*  
S. J. Iverson

SJI:FM

cc: Mr. Ross Malone,  
Roswell, New Mexico.  
Mr. Harry Willis,  
Borger, Texas.



*Exhibit "B"*

# IVERSON TOOL COMPANY

## OIL WELL SUPPLIES

GENERAL OFFICES  
Box 1227  
TULSA, OKLA.

FORT WORTH CLUB BLDG.

FORT WORTH, TEXAS

August 2, 1939.

BRANCHES AT  
FAIRFAX, OKLAHOMA  
OKLAHOMA CITY, OKLAHOMA  
OKMULGEE, OKLAHOMA  
TULSA, OKLAHOMA  
ARTESIA, NEW MEXICO  
SALEM, ILLINOIS  
BORGER, TEXAS  
KILGORE, TEXAS  
ODESSA, TEXAS  
PAMPA, TEXAS  
WINK, TEXAS

Mr. David J. Edwards,  
Hotel President,  
Kansas City, Missouri.

Dear Mr. Edwards:

I received your letter and wish to advise you that Iverson Tool Company has no ill feelings toward you or your companies. I was merely putting you on notice that you had no option and that Iverson Tool Company was selling this material at a reasonable profit plus all of our expenditures.

We tried to work with you and gave you first option but you were unable to take advantage of it, and in fact we are making quotations on some of the material at this time and expect to sell it all within a very short while.

Yours very truly,

IVERSON TOOL COMPANY

*S. J. Iverson*  
S. J. Iverson

SJI:FM

*Exhibit 10*

September 18th, 1939.

Mr. S. J. Iverson,  
Iverson Tool Company,  
Artesia, New Mexico.

Dear Mr. Iverson:-

Having received notice from the N.M. Oil Conservation Commission that the hearing of the Cabra Springs matter was set off, date to be determined today, and having some things to look after in Pittsburg, Kansas and Tulsa, I went down there last Thursday evening.

Friday morning I stopped in your offices - you had left Wednesday evening as I remember - and Mr. Iverson, Sr., had left for the day. However I did telephone him during the evening and made an appointment with him Saturday morning. I was sorry that you were not there - as we may have reached an agreement.

Saturday morning Mr. Iverson, Sr., called in Mr. Lundquist (I believe that is the name) and had a general understanding which Mr. Iverson, Sr., said was up to you as you were handling that part of the business.

Here's the essence of what I suggested:- that as we both have our responsibilities in the matter there's no use in getting setup for any squabble - it wouldn't pay either: that your court title to the equipment, etc., could be transferred to me on a basis something like this - \$1000 down and the balance \$1000 per month until the total of the judgement is liquidated.

These figures can be readily backed up - but trying to get enough cash on hand to clear the matter at once is a tough one - as it must necessarily take into consideration the Gross-Kelly and Eakin accounts.

On the Gross-Kelly account I would ask your assistance in getting this sixteen hundred and some dollar account knocked down to where it rightfully belongs - this matter can be discussed later on. The Eakin matter can be satisfactorily settled direct with Mr. Eakin.

Another matter I would like to ask about - the drilling bond - I believe that you have filed a bond with the Commission. Could we operate on your bond until we have gotten our finances in shape to qualify for our own bond - at which time the bond could be transferred to us and we could pay you for the premium?

With best wishes, I am

Yours very truly,

*Exhibit "D"*

# IVERSON TOOL COMPANY

## OIL WELL SUPPLIES

GENERAL OFFICES  
BOX 1227  
TULSA, OKLA.

FORT WORTH CLUB BLDG.

FORT WORTH, TEXAS.

October 17, 1939.

BRANCHES AT  
FAIRFAX, OKLAHOMA  
OKLAHOMA CITY, OKLAHOMA  
OKMULGEE, OKLAHOMA  
TULSA, OKLAHOMA  
ARTESIA, NEW MEXICO  
SALEM, ILLINOIS  
BORGER, TEXAS  
KILGORE, TEXAS  
ODESSA, TEXAS  
PAMPA, TEXAS  
WINK, TEXAS

Mr. David J. Edwards,  
Hotel President,  
Kansas City, Missouri.

Dear Mr. Edwards:

I am sorry I have not answered your letters but have been ill in the hospital. We are not interested in making any kind of a proposition on a payment plan and will sell it to you all cash for about \$7500.00. I hope this will eliminate us from carrying on any more correspondence course in regard to this material.

Yours very truly,

IVERSON TOOL COMPANY

*S. J. Iverson*  
S. J. Iverson

SJI:EM

Exhibit "C"

October 8th, 1939.

Mr. S. J. Iverson,  
Iverson Tool Co.,  
Fort Worth, Texas.

Dear Mr. Iverson:-

As I have received no answer to my letter to you under date of September 18th, I am again writing you to ask you if it will be possible for the two of us to get together on some definite deal before the hearing comes up the 23rd at Santa Fe.

If you do not care to enter into such an agreement as outlined in my letter of Sept. 18th, then I shall be compelled to take such court action as will entirely protect our investment. Such action will be at a loss to your company - that is not my game, and I hope you fully understand my position - we have \$180000.00 and better involved, while you have a matter of \$2117 as far as I am concerned, with costs added.

Let's get together - what do you say?

With best wishes, I am

Yours very truly,

David J. Edwards,  
CABRA SPRINGS OIL & GAS CO.

OIL CONSERVATION COMMISSION

January 2, 1940

C  
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P  
Y  
  
Honorable Ross L. Malone, Jr.  
Attorney at Law  
Roswell, New Mexico

Re: Case No. 17, Application of Iverson  
Tool Company.

My dear Mr. Malone:

Your letter of December 30 will come to the  
attention of the Commission. Thank you for your  
letter.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik

ATWOOD & MALONE  
LAWYERS

JEFF O. ATWOOD  
ROSS L. MALONE, JR.

J. P. WHITE BUILDING  
ROSWELL, NEW MEXICO

December 30, 1939

Mr. Carl A. Livingston  
Attorney  
Oil Conservation Commission  
Santa Fe, New Mexico

Re: Iverson Tool Company Petition

Dear Mr. Livingston:

You have no doubt received Mr. Wright's memorandum on behalf of Cabra Springs Oil and Gas Company in the above matter. It was our understanding that each side would file a statement of its position but that it was not contemplated that the petitioner would file a reply brief. For that reason we are not filing a reply brief in the matter and it may now be submitted to the Commission as soon as it is convenient for them to consider it.

All parties concerned will, of course, greatly appreciate a decision as early as possible.

With best wishes, we are

Very truly yours,

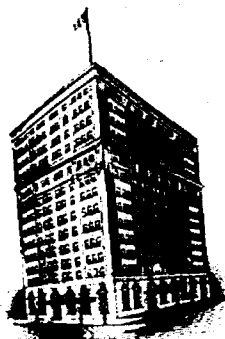
ATWOOD & MALONE

By: *Ross L. Malone Jr.*

RLM:gb

cc: E. R. Wright

*Answered  
to Santa Fe*



**HOTEL**

MOHAWK VALLEY HOTEL COMPANY, INC.  
OPERATORS

UTICA, NEW YORK

12/12/39

NEW MEXICO  
OIL CONSERVATION  
COMMISSION  
RECEIVED  
DEC 15 1939

**UTICA**

Oil Conservation Commission  
Santa Fe, N.M.

Gentlemen: In my letter of yesterday written to  
you, I made an error in dates.

I said I was Pres. of the Cabra Springs  
Oil and Gas Co. until Jan 18th 39..it should have  
been 1938.

Please note this correction.

Very truly,

H.A. Hershfield

December 14, 1939

Dear Mr. Hershfield:      Re: Case No. 17, Application  
of Iverson Tool Company.

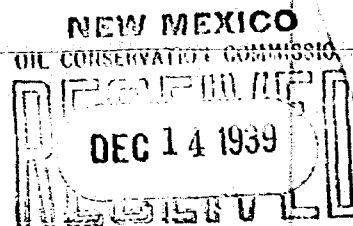
The hearing in this case was held on December 6. However, the decision has not as yet been rendered. I might state that we hardly agree with the necessity of taking care of the Iverson account.

Frank Worden  
Commissioner of Public Lands  
and Secretary of the New  
Mexico Oil Conservation Commission

**FW 11**



New York City, N.Y.  
Dec. 11th. 39.



New Mexico Oil Conservation Commission;  
Santa Fe, N.M.

Gentlemen:

I have been informed that you have under consideration the allowing of the abandonment of the Cabra Springs Well in San Miguel County; I would like to know what you have decided to allow in this matter, and will try and explain herein my interest in the matter.

This well was drilled under my supervision as I was the President of the Cabra Springs Oil and Gas Company until Jan'y 18th. 1939.

At that time I resigned and Mr. D. J. Edwards was made President, due to the fact that he went into a written contract with me, in which he agreed to finish the well and drill another one on the North Structure of the Cabra Springs Ranch, and pay all outstanding bills owed in the Company's name or my name (as many firms carried their accounts in my name).

I have tried many times to get reports from the Secretary of the company, and only last week had a letter from Mr. George W. McMahon 5418 Russell Ave. Hollywood, Cal. the Company Secy. saying he had a letter from Edwards in which he stated that the Iverson matter was taken care of and all would soon be all right.

Iversons should never have been able to get title to this property, and I suppose under the circumstances the only way to get it back is to pay them what is due them and get this property back where it belongs with the stockholders. I am writing you to kindly give me what information you can as to the present status of the well and your decision in the matter.

If Mr. Edwards had carried out his contract with me he was to receive half of my stock in the company, in as much as this has not been done, I still have all my stock which is control if I want it to be, and if nothing has been done and Edwards cannot show me that he is going to do something, then in that case I think it only fair to all the stockholders, that I call a meeting and put it right up to them as to paying the Iverson claim and retaining their property.

If you would like copy of my contract with Edwards I will gladly have a copy made and mail it to you, or can see you in person some time between Xmas and New Years, as I intend to be in Albuquerque about that time.

When I put Edwards in as Pres. I did what I thought was best for all stockholders having their interest in mind and as I still feel the same, that is the reason for this letter to you.

I am sending a copy of this letter to Iversons, as during the last ten years I have paid them many thousand dollars and our relations were all most pleasant, and I have no fear as to them remaining the same, as I am intending to do some drilling on the Jones Ranch south of Cabra.

I have addressed Mr Edwards allso on this matter and will try and see him allso, in order to learn his accomplishments and plans for the future, something must be done on this property soon as the lease runs out next year.

At present I am the Whitehall Hotel 100th and Broadway. N.Y. but intend leaving in a few days so kindly address your answer to me care Mrs. M.M. Goodman.. 803 West Marquette st Albuquerque. N.M. ....

Thanks for any information you can give me, and as to who is representing the Cabra Springs Oil and Gas Company in the matter.

Sincerely yours.

*H.A. Hershfield*  
H.A. Hershfield

a full-rate  
gram or Cable-  
gram unless its de-  
ferred character is in-  
dicated by a suitable  
symbol above or pre-  
ceding the address.

# WESTERN UNION

1201

## SYMBOLS

DL = Day Letter  
NL = Night Letter  
LC = Deferred Cable  
NLT = Cable Night Letter  
Ship Radiogram

R. B. WHITE  
PRESIDENT

NEWCOMB CARLTON  
CHAIRMAN OF THE BOARD

J. C. WILLEVER  
FIRST VICE-PRESIDENT

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.

Received at

VN162 12 NT COLLECT=WASHINGTON DC 16

193. OCT 16 PM 11 09

CARL LIVINGSTON=

STATE LAND OFFICE

RETET OF MONUMENT HEARING. PERIOD. COMMISSION GRANTS  
CONTINUANCE ALSO IVERSON CASE=  
WORDEN ANDREAS.

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

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

(04)

SYMBOLS

DL = Day Letter

NL = Night Letter

LC = Deferred Cable

NLT = Cable Night Letter

Ship Radiogram

R. G. WHITE  
PRESIDENT

NEWCOMB CARLTON  
CHAIRMAN OF THE BOARD

J. C. WILLEVER  
FIRST VICE-PRESIDENT

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.

Received at

VE74 21 1 EXTRA DL=AS FORTWORTH TEX 17 1228P

193 OCT 17 PM 12 21

CARL B LIVINGSTON=

OIL CONSERVATION COMMISSION

WAS HEARING POSTPONED ALTOGETHER OR JUST IVERSON TOOL COMPANY.

IF SO PLEASE ADVISE REASON AS WE HAVE CERTAINLY BEEN

INCONVENIENCED=

IVERSON TOOL CO BY S J IVERSON.

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM <input checked="" type="checkbox"/>	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	NIGHT LETTER
NIGHT LETTER	SHIP RADIOGRAM

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

# WESTERN UNION

R. B. WHITE  
PRESIDENT

NEWCOMB CARLTON  
CHAIRMAN OF THE BOARD

J. C. WILLEVER  
FIRST VICE-PRESIDENT

1217-A

CHECK
ACCT'G INFMN.
TIME FILED

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

SANTA FE, NEW MEXICO  
OCTOBER 17, 1939

COLONEL J. D. ATWOOD  
ATTORNEY AT LAW  
ROSWELL, NEW MEXICO

HEARING ON IVERSON PETITION POSTPONED DATE TO BE ANNOUNCED  
LATER. HAVE WIRED IVERSON

CARL B. LIVINGSTON, ATTORNEY  
OIL CONSERVATION COMMISSION

(Charge to Oil Conservation  
Commission)

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	NIGHT LETTER
NIGHT LETTER	SHIP RADIOGRAM

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

# WESTERN UNION

R. B. WHITE  
PRESIDENT

NEWCOMB CARLTON  
CHAIRMAN OF THE BOARD

J. C. WILLEVER  
FIRST VICE-PRESIDENT

1217-A

CHECK
ACCT'G INFMN.
TIME FILED

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

## Telegram

SANTA FE, NEW MEXICO  
OCTOBER 17, 1939

IVERSON TOOL COMPANY  
FORT WORTH CLUB BLDG.  
FORT WORTH, TEXAS

HEARING ON IVERSON PETITION POSTPONED DATE TO BE ANNOUNCED  
LATER

CARL B. LIVINGSTON, ATTORNEY  
~~STATE LAND COMMISSION~~  
OIL CONSERVATION COMMISSION

(Charge to Oil Conservation  
Commission)

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE

November 7, 1939

Optic Publishing Company  
Las Vegas, New Mexico

Re: Notice for Publication, Case No. 17,  
Petition of Iverson Tool Company.

Gentlemen:

This will acknowledge receipt of publication of the above Notice, together with purchase voucher in duplicate, for which we thank you. However, you overlooked sending us your statement in duplicate. It is necessary to have this statement in order that it may accompany the purchase voucher.

Very truly yours,

OIL CONSERVATION COMMISSION

By

Carl B. Livingston  
Attorney

CBL:ik

November 1, 1939

Las Vegas Daily Optic  
Las Vegas, New Mexico

Gentlemen:

There is enclosed herewith a Notice for Publication, which you are kindly requested to publish once immediately. You are also requested to furnish this Commission with a copy containing this publication.

Immediately upon completion of the publication be sure to transmit to the Oil Conservation Commission your affidavit of publication.

Upon sending to the Commission your affidavit of publication, please send your statement in duplicate and enclosed purchase voucher, also in duplicate.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Encls.



November 1, 1939

New Mexico Examiner  
Santa Fe, New Mexico

Gentlemen:

There is enclosed herewith a Notice for Publication, which you are kindly requested to publish once immediately. You are also requested to furnish this Commission with a copy containing this publication.

Immediately upon completion of the publication be sure to transmit to the Oil Conservation Commission your affidavit of publication.

Upon sending to the Commission your affidavit of publication, please send your statement in duplicate and enclosed purchase voucher, also in duplicate.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:lk  
Encls.

November 1, 1939

Honorable J. D. Atwood  
Attorney at Law  
Roswell, New Mexico

Re: Application of Iverson Tool Company,  
Case No. 17.

My dear Colonel Atwood:

Enclosed please find Notice of Hearing in  
the above captioned matter.

This is a re-advertising of the same case  
heretofore set and continued to a date to be  
announced by the Commission, which date is now  
announced in the advertisement.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Enc.

November 1, 1939

Mr. J. B. Eakin  
Santa Rosa, New Mexico

Re: Application of Iverson Tool  
Company - Case No. 17.

Dear Mr. Eakin:

Enclosed please find Notice of Hearing in  
the above captioned matter.

This is a re-advertising of the same case  
heretofore set and continued to a date to be  
announced by the Commission, which date is now  
announced in the advertisement.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

OBL:ik  
Enc.

November 1, 1939

Mr. Jose E. Armijo  
Attorney at Law  
Las Vegas, New Mexico

Re: Application of Iverson Tool Company,  
Case No. 17.

Dear Mr. Armijo:

Enclosed please find Notice of Hearing in  
the above captioned matter.

This is a re-advertisement of the same case  
heretofore set and continued to a date to be  
announced by the Commission, which date is now  
announced in the advertisement.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Enc.

November 1, 1939

Mr. David J. Edwards  
Hotel President  
Kansas City, Missouri

Re: Application of Iverson Tool Company,  
Case No. 17.

Dear Mr. Edwards:

Enclosed please find Notice of Hearing  
in the above captioned matter.

This is a re-advertising of the same  
case heretofore set and continued to a date to  
be announced by the Commission, which date is  
now announced in the advertisement.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Enc.

cc - P. O. Box 278  
Santa Rosa, New Mexico

November 1, 1939

Mr. William R. Thompson  
Santa Rosa, New Mexico

Re: Application of Iverson Tool Company -  
Case No. 17.

Dear Mr. Thompson:

Enclosed please find Notice of Hearing  
in the above captioned matter.

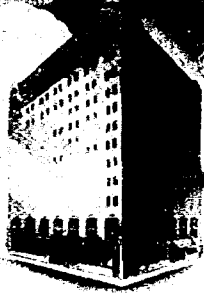
This is a re-advertisement of the same  
case heretofore set and continued to a date to  
be announced by the Commission, which date is  
now announced in the advertisement.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Enc.



FRANK J. DEAN  
PRESIDENT

# Hotel Manhattan

FOURTEENTH AND BALTIMORE AVENUE  
KANSAS CITY, MISSOURI

Oct. 20, 1939.

Mr. Carl B. Livingston,  
Oil Conservation Commission,  
Santa Fe, N. M.

Dear Mr. Livingston:—

On Application of Iversen Tool Co.  
Case # 17—thanks for your notice of  
continuance—

yours very truly,  
David J. Edwards.

Cobra Springs Oil & Gas Company.

NEW MEXICO OIL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

October 20, 1939

Honorable J. D. Atwood  
Attorney at Law  
Roswell, New Mexico

Re: Application of Iverson Tool Company, Case  
No. 17.

My dear Colonel Atwood:

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In reply to your letter of October 17, I assure you that on the part of the Commission there is no fear of resistance to your petition, or aversion to hold the hearing, or dirth of patience to sit in such a hearing. At the time in September it was understood from Mr. Malone that he was going away and would not likely be on hand in October and would prefer a November setting. The Commission, on September 18, in continuing the matter to October 23, really did so tentatively in the belief that this was an accommodation to Mr. Malone. It is the general policy of the Commission to hear as many cases as is possible at one convening of the Commission. There was another case recessed to October 23 which was continued at the request of a number of the oil companies, of which continuance you have also been advised. Therefore, both hearings were continued with no intention to inconvenience either you or your client. The casing has been in the well for quite a long time, and it was not therefore readily apparent why a continuance under the circumstances would be materially objectionable to Mr. Iverson, except for the reason that he would naturally like to have the matter finally concluded.

When Mr. Andreas and Mr. Worden return from Washington and reset the matter, I shall be happy to stress your desire for hearing without further continuance.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik



ATWOOD & MALONE

LAWYERS

JEFF D. ATWOOD  
ROSS L. MALONE, JR.

J. P. WHITE BUILDING  
ROSWELL, NEW MEXICO

October 17, 1939

Mr. Carl B. Livingston,  
Attorney for  
Oil Conservation Commission,  
Santa Fe, New Mexico.

Application of Iverson Tool  
Company - Case No. 17.

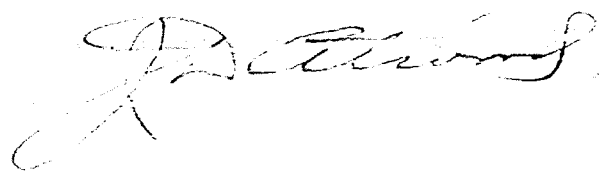
Dear Mr. Livingston:

Receipt is acknowledged of your letter of the 16th in reply to my letter of the 13th regarding this matter and your telegram of today giving notice of another postponement of this matter.

Needless to say, Mr. Iverson is unable to understand why persons who apparently have not filed any written appearances in this matter are able by threats of stiff resistance to prevent a hearing on this petition. The facts are, as your file will show, that months ago Iverson Tool Company acquired title to the casing in the hole. The records of your office should show that no drilling has been done on this well for several years. In my opinion these people are obtaining postponement after postponement upon the representation that they are going to take up a lot of time and I doubt if they will be present when finally forced to a hearing. I do not see how the case could take more than a day, if that long.

As you perhaps know, I am acting in this matter in behalf of Mr. Malone, who has represented Mr. Iverson in this whole controversy from the very beginning. However, I know that both Mr. Malone and Mr. Iverson will appreciate exceedingly your setting this matter down for the earliest possible date when the Commission feels it can meet on two consecutive days.

Yours truly,



JDA:IH

cc: Mr. Iverson

October 17, 1939

Mr. William R. Thompson  
Santa Rosa, New Mexico

Re: Application of Iverson Tool Company -  
Case No. 17.

Dear Mr. Thompson:

The hearing upon the above captioned matter  
set for October 23 is continued by the Commission to  
a date to be announced later.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik

October 17, 1939

Mr. Jose E. Armijo  
Attorney at Law  
Las Vegas, New Mexico

Re: Application of Iverson Tool Company -  
Case No. 17.

Dear Mr. Armijo:

The hearing upon the above captioned matter  
set for October 23 is continued by the Commission to  
a date to be announced later.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik

October 17, 1939

Mr. J. B. Eakin  
Santa Rosa, New Mexico

Re: Application of Iverson Tool Company-  
Case No. 17.

Dear Mr. Eakin:

The hearing upon the above captioned matter  
set for October 23 is continued by the Commission to  
a date to be announced later.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik

NEW MEXICO OIL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

October 17, 1939

Airmail

C  
O  
P  
Y  
Mr. S. J. Iverson  
Iverson Tool Company  
Fort Worth Club Bldg.  
Fort Worth, Texas

Re: Case No. 17, Application of Iverson  
Tool Company.

Dear Mr. Iverson:

In reply to your telegram of October 17, all hearings set for October 23 were continued by the Commission by telegram from Commissioner Frank Worden and State Geologist A. Andreas who were called to Washington. A new setting will be made for the matters that were to be heard on October 23. You will be advised promptly of this date when it is ascertained.

The Commission, as you are well aware, consists of busy officials. It is desired that both your matter and the Hobbs and Monument proration matters be disposed of at one hearing. From the meeting of the Lea County Operators at Fort Worth yesterday, advice was received that an agreement had been reached as to the Monument proration matter, but not yet as to the Hobbs matter. Therefore, the Commission desires to give a little more time for the matter to be worked out if such is possible.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:1K

October 17, 1939

Airmail

Mr. David J. Edwards  
Hotel President  
Fourteenth & Baltimore Avenue  
Kansas City, Missouri

Re: Application of Iverson Tool Company -  
Case No. 17.

Dear Mr. Edwards:

The hearing upon the above captioned matter  
is continued by the Commission to a date to be  
announced later.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
EC - Box 278  
Santa Rosa, New Mexico

NEW MEXICO OIL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

October 16, 1939

Colonel J. D. Atwood  
Attorney at Law  
Roswell, New Mexico

Re: Application of Iverson Tool Company -  
Case No. 17.

My dear Colonel:

In reply to your letter of October 13, the principal reason the Commission continued the hearing in the caption to October 23 was when the matter came up for hearing on September 18 it was apparent that there would be considerable resistance to the petition and the Commission would be unable to finish the hearing that day and could not resume on the following day by reason of the fact the members of the Commission could not meet as a Commission the following day.

Those who have manifested an interest in the hearing in so far as we know and who intend to put in their appearances on the day of the hearing are as follows:

Mr. J. B. Eakin, Santa Rosa, New Mexico;  
Mr. Jose E. Armijo, Las Vegas, New Mexico, Attorney  
for Mr. and Mrs. J. B. Eakin;  
Mr. David J. Edwards, Santa Rosa, New Mexico, or  
Hotel President, Kansas City, Missouri;  
Mr. William R. Thompson, Santa Rosa, New Mexico.

I have not heard from any of the parties noted above since the hearing was continued to October 23 and do not know for certain whether they still intend to come before the Commission on October 23.

With kindest personal regards,

Very truly yours,

Carl B. Livingston  
Attorney

CEL:ik

ATWOOD & MALONE  
LAWYERS

JEFF D. ATWOOD  
ROSS L. MALONE, JR.

J. P. WHITE BUILDING  
ROSWELL, NEW MEXICO

October 13, 1939

Mr. Carl B. Livingston,  
Attorney for  
Oil Conservation Commission,  
Santa Fe, New Mexico.

Application of Iverson Tool  
Company - Case No. 17

Dear Mr. Livingston:

In reply to your letter of the 10th addressed to Mr. Malone, you are advised that Mr. Malone has gone on his vacation, but requested me to represent him in this matter. His client is extremely anxious to get this matter disposed of as soon as possible on account of it having been pending for quite awhile. Therefore it will be appreciated if this case is heard on the 23rd as already set. Mr. Iverson already has made arrangements to be present with his witnesses.

I note your reference to "various interested parties!" We do not have any record of any other party having appeared in this matter and if such an appearance has been made, I will appreciate your letting me know who the party is and also who his attorney is.

Yours very truly,

ATWOOD & MALONE

By: 

JDA:IH

cc: Mr. Iverson



NEW MEXICO OIL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

October 10, 1939

Atwood & Malone  
Attorneys at Law  
Roswell, New Mexico

Re: Application of Iverson Tool Co. to  
have determined status of Cabra  
Springs Oil and Gas Company well  
as abandoned, to withdraw casing  
therefrom and plug same, Case No. 17.

ATTENTION: Mr. Ross Malone.

Gentlemen:

At the time the hearing upon the above captioned matter was continued by the Commission at its last meeting to October 23, you were not entirely certain whether you would be ready for such hearing, and at the time of the setting of said hearing it was the general understanding that if October 23 was inconvenient to you the Commission would further continue the hearing.

It is now apparent that another hearing set for the same day will also be continued for a future date. I should now like to be advised as to whether you wish the hearing on October 23 to be continued, in order that I may advise the Commission so that the various interested parties may be advised in sufficient time so as to save a trip in case the hearing is continued.

Very truly yours,

Carl B. Livingston  
Attorney

CBL:ik

NEW MEXICO OIL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

September 18, 1939

C  
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Y

Atwood & Malone  
Attorneys at Law  
Roswell, New Mexico

Re: Application of Iverson Tool Co. to  
have determined status of Cabra  
Springs Oil and Gas Company well  
as abandoned, to withdraw casing  
therefrom and plug same, Case No. 17.

Gentlemen:

Enclosed herewith are two copies of the  
Commission's order continuing the hearing upon  
the above captioned matter.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Encls.

September 18, 1939

Mr. J. B. Eakin  
Santa Rosa, New Mexico

Re: Application of Iverson Tool Co. to  
have determined the status of Cabra  
Springs Oil and Gas Company Well as  
abandoned, to withdraw casing there-  
from and plug same, Case No. 17.

Dear Mr. Eakin:

Enclosed herewith please find a copy of the  
Commission's order continuing the hearing upon  
the above captioned matter.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Enc.

September 18, 1939

Mr. William R. Thompson  
Santa Rosa, New Mexico

Re: Application of Iverson Tool Co. to  
have determined status of Cabra Springs  
Oil and Gas Company Well as abandoned,  
to withdraw casing therefrom and plug  
same. Case No. 17.

Dear Mr. Thompson:

Enclosed herewith please find a copy of  
the Commission's order continuing the hearing  
upon the above captioned matter.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Enc.

September 18, 1939

Mr. David J. Edwards  
Hotel President  
Fourteenth & Baltimore Avenue  
Kansas City, Missouri

Re: Application of Iverson Tool Co. to  
have determined the status of Cabra  
Springs Oil and Gas Company well as  
abandoned, to withdraw casing there-  
from and plug same, Case No. 17.

Dear Mr. Edwards:

Enclosed please find a copy of the Com-  
mission's order continuing the hearing upon  
the above captioned matter.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:lk  
Enc.

cc - P. O. Box 278  
Santa Rosa, New Mexico

September 18, 1939

Mr. Jose E. Armijo  
Attorney at Law  
Las Vegas, New Mexico

Re: Application of Iverson Tool Company  
to have determined the status of Cabra  
Springs Oil & Gas Company - North American  
Investment Company No. 1 Well as abandoned,  
to withdraw casing therefrom and plug  
said well.

Dear Mr. Armijo:

Enclosed please find a copy of the Com-  
mission's order continuing the hearing upon the  
above captioned matter.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Enc.

September 18, 1939

Iverson Tool Company  
Fort Worth Club Building  
Fort Worth, Texas

Re: Application of Iverson Tool Co. to  
have determined status of Cabra  
Springs Oil and Gas Company well  
as abandoned, to withdraw casing  
therefrom and plug same, Case No. 17.

Gentlemen:

Enclosed herewith please find a copy of  
the Commission's order continuing the hearing upon  
the above captioned matter.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Enc.

September 14, 1939

Mr. Jose E. Armijo  
Attorney at Law  
Las Vegas, New Mexico

Re: Application of Iverson Tool Company  
to have determined as abandoned the  
well generally known as the Cabra  
Springs Oil & Gas Company-North American  
Investment Company No. 1, located upon  
NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 22-12N-22E., San Miguel  
County; to withdraw casing therefrom  
and plug same in accordance with re-  
quirements of Oil Conservation Commission.

Dear Mr. Armijo:

In reply to your letter of September 13, you  
were advised yesterday by letter that the hearing  
in the above captioned case would not be heard on  
September 18, but on that date the Commission would  
set a date for sometime after October 10.

Very truly yours,  
OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik



RECEIVED  
STATE LAND OFFICE

SEP 14 8 56 AM '39

SANTA FE, N.M.

JOSE E. ARMIJO  
ATTORNEY-AT-LAW  
LAS VEGAS, NEW MEXICO

September 13, 1939.

Hon. Frank Worden,  
State Land Commissioner,  
Santa Fe, New Mexico.

In re: Case No. 17, (Petition of  
Iverson Tool Company vs.  
Cabra Springs Oil & Gas  
Co., before Oil Conserva-  
tion Commission).

Dear Mr. Worden:

Last Friday I was in your office and discussed with you the hearing set for September 18th, at 10 o'clock, A.M., before the Oil Conservation Commission, pertaining to the petition of the Iverson Tool Company against the Cabra Springs Oil and Gas Company, to determine the status of said Company's oil well in San Miguel County.

As I told you at that time I represent Mr. and Mrs. J. B. Eakin who have filed a claim of lien for labor, which represents wages due the Eakins in connection with work on said well.

As I stated to you, it is impossible for me to be in Santa Fe on the 18th at 10 o'clock, A.M., for the reason that I am acting as Special Master in a sale to be held here on the same date and at the same time, but it would be possible for me to be in Santa Fe on the same date at 2 o'clock, P.M., if the hearing could be continued for that time in the afternoon.

At that time you stated to me that in all probability the Petition of the Iverson Tool Company would not be heard nor passed on at that time for the reason that you had other matters to attend to on that date, and that it would not be necessary for myself or Mr. and Mrs. Eakin to be present on that date.

The purpose of this letter is to inquire whether I can definitely depend that this matter will not come up for hearing on the 18th of this month at 10 o'clock, A.M.? I would like to know as to this so that I can notify my clients and so they can make arrangements accordingly.

I would appreciate your prompt advise on this matter.

Very truly yours,

*Jose E. Armijo*

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	NIGHT LETTER
NIGHT LETTER	SHIP RADIOGRAM

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

# WESTERN UNION

R. B. WHITE  
PRESIDENT

NEWCOMB CARLTON  
CHAIRMAN OF THE BOARD

J. C. WILLEVER  
FIRST VICE-PRESIDENT

1217-A

CHECK
ACCT'G INFMN.
TIME FILED

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

SANTA FE, NEW MEXICO  
SEPTEMBER 13, 1939

ATWOOD & MALONE  
ATTORNEYS AT LAW  
ROSWELL, NEW MEXICO

HEARING UPON PETITION OF IVERSON TOOL COMPANY TO HAVE DETERMINED  
AS ABANDONED CABRA SPRINGS OIL AND GAS COMPANY WELL IN SAN MIGUEL  
COUNTY WILL NOT BE HEARD ON SEPTEMBER EIGHTEENTH BUT ON THAT DATE  
COMMISSION WILL SET A DATE FOR SOMETIME AFTER OCTOBER TENTH OF WHICH  
DATE YOU WILL BE ADVISED

NEW MEXICO OIL CONSERVATION COMMISSION

(Charge to Oil Conservation  
Commission)

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	NIGHT LETTER
NIGHT LETTER	SHIP RADIOGRAM

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

# COPY OF WESTERN UNION TELEGRAM

SANTA FE, NEW MEXICO  
SEPTEMBER 13, 1939

MR. DAVID J. EDWARDS  
HOTEL PRESIDENT  
FOURTEENTH & BALTIMORE AVENUE  
KANSAS CITY, MISSOURI

HEARING UPON PETITION OF IVERSON TOOL COMPANY TO HAVE DETERMINED  
AS ABANDONED CABRA SPRINGS OIL AND GAS COMPANY WELL IN SAN MIGUEL  
COUNTY WILL NOT BE HEARD ON SEPTEMBER EIGHTEENTH BUT ON THAT DATE  
COMMISSION WILL SET A DATE FOR SOMETIME AFTER OCTOBER TENTH OF WHICH  
DATE YOU WILL BE ADVISED

NEW MEXICO OIL CONSERVATION COMMISSION

(Charge to Oil Conservation  
Commission

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	NIGHT LETTER
NIGHT LETTER	SHIP RADIOGRAM

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

# COPY OF WESTERN UNION TELEGRAM

SANTA FE, NEW MEXICO  
SEPTEMBER 13, 1939

IVERSON TOOL COMPANY  
FORT WORTH CLUB BUILDING  
FORT WORTH, TEXAS

HEARING UPON PETITION OF IVERSON TOOL COMPANY TO HAVE  
DETERMINED AS ABANDONED CARRA SPRINGS OIL AND GAS COMPANY WELL IN  
SAN MIGUEL COUNTY WILL NOT BE HEARD ON SEPTEMBER EIGHTEENTH BUT  
ON THAT DATE COMMISSION WILL SET A DATE FOR SOMETIME AFTER OCTOBER  
TENTH OF WHICH DATE YOU WILL BE ADVISED

NEW MEXICO OIL CONSERVATION COMMISSION

(Charge to Oil Conservation  
Commission)

September 13, 1939

Mr. William R. Thompson  
Santa Rosa, New Mexico

Re: Application of Iverson Tool Company to have determined as abandoned the well generally known as the Cabra Springs Oil and Gas Company-North American Investment Company No. 1, located upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 22-12N-22E., San Miguel County; to withdraw casing therefrom and plug same in accordance with requirements of Oil Conservation Commission.

Dear Mr. Thompson:

Enclosed please find copy of telegram by the Commission, advising that the hearing in the above captioned matter will not be held on Monday, September 18, but will be continued on that date to a date after October 10, of which date you will be advised when the Commission meets September 18.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Enc.

September 13, 1939

Mr. David J. Edwards  
Box 278  
Santa Rosa, New Mexico

Re: Application of Iverson Tool Company to have determined as abandoned the well generally known as the Cabra Springs Oil and Gas Company-North American Investment Company No. 1, located upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 22-12N-22E., San Miguel County; to withdraw casing therefrom and plug same in accordance with requirements of Oil Conservation Commission.

Dear Mr. Edwards:

Enclosed please find copy of telegram by the Commission, advising that the hearing in the above captioned matter will not be held on Monday, September 18, but will be continued on that date to a date after October 10, of which date you will be advised when the Commission meets September 18.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Enc.

September 13, 1939

Mr. J. B. Eakin  
Santa Rosa, New Mexico

Re: Application of Iverson Tool Company to have determined as abandoned the well generally known as the Cabra Springs Oil and Gas Company-North American Investment Company No. 1, located upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 22-12N-22E., San Miguel County; to withdraw casing therefrom and plug same in accordance with requirements of Oil Conservation Commission.

Dear Mr. Eakin:

Enclosed please find copy of telegram by the Commission, advising that the hearing in the above captioned matter will not be held on Monday, September 18, but will be continued on that date to a date after October 10, of which date you will be advised when the Commission meets September 18.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Enc.

September 13, 1939

Mr. Jose E. Armijo  
Attorney at Law  
Las Vegas, New Mexico

Re: Application of Iverson Tool Company to have determined as abandoned the well generally known as the Cabra Springs Oil and Gas Company-North American Investment Company No. 1, located upon the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, Sec. 22-12N-22E., San Miguel County; to withdraw casing therefrom and plug same in accordance with requirements of Oil Conservation Commission.

Dear Mr. Armijo:

Enclosed please find copy of telegram by the Commission, advising that the hearing in the above captioned matter will not be held on Monday, September 18, but will be continued on that date to a date after October 10, of which date you will be advised when the Commission meets September 18.

Very truly yours,

OIL CONSERVATION COMMISSION

By \_\_\_\_\_  
Carl B. Livingston  
Attorney

CBL:ik  
Enc.



Carl

I told Arnijo  
we will continue  
the meeting to some  
future date &  
a date soon

W

## LEGAL NOTICE

### NOTICE OF SALE

Notice is hereby given that under a decree of the District Court for San Miguel County, N. M., dated August 23rd, 1939, and entered in Case No. 12470 entitled Grace Resler, Plaintiff, vs. Roy Crawford, et als, Defendants, I, the undersigned, Special Master, shall on the 18th day of September, 1939, at the hour of 10 o'clock A. M. at the East front door of the Court House of San Miguel County, in the Town of Las Vegas, N. M., sell at public vendue to the highest bidder for cash the following described property, situated in San Miguel County, N. M., to-wit:

Tract 1: The West 25 ft. of Lots 1, 2, and 3 in Block 3, Las Vegas Town Co. Addn. to Las Vegas, N. M., as shown on official plat of said addn. on file and of record in office of County Clerk of San Miguel County, N. M., and all improvements thereon. Tract 2: Also tract of land located about 2 miles northerly from Las Vegas, N. M., and on the easterly side of 7th St. Extension, now also known as new Mora Highway, which property was formerly known as the Iris Bell Ranch and later as the J. S. Crawford place and better described as follows: Beginning at the NW corner of claim identical with SW cor. of claim of Minnie I. Detterick; thence S. 4° E. 445 ft., 5 in., along the E. side of the Mora Road to SW cor. identical with NW cor. of land formerly of S. P. Hemler; thence N. 89° 9 min. E. 1426 ft. to the S.E. cor.; thence N. 00° 3' E. 408 ft. to NE cor.; thence N. 89° 15' W 1451 ft. to NW cor. and place of begin-

Union Ave., New York  
No. Clark St., Chicago  
5. Sansome St., San Francisco

ning in Sec. 11, Twp. 16, N., R. 16 E. containing 14 acres, more or less, with all improvements, and all water and water rights appurtenant to said lands and Certificate No. 252 for 210 shares of stock in the Gallinas Canal and Water Storage and Irrigation Co., issued to Joseph Crawford, dated Feb. 24, 1921. All of said property more fully described in said decree hereby referred to.

I shall receive separate bids for Tract 1 then for Tract 2 and shall then offer Tracts 1 and 2 jointly and shall sell said tracts separately or jointly, whichever will realize the larger amount. Any party to said cause may bid at such sale. Said property shall be sold subject to any unpaid taxes thereon.

August 23rd, 1939.

JOSE E. ARMijo.

Special Master.

Aug. 23-30, Sept. 6-13

STATE OF NEW MEXICO  
COUNTY OF SAN MIGUEL,  
IN THE PROBATE COURT.  
In the Matter of the Estate  
of  
Alma Updike, deceased. )  
No. 761

NOTICE OF HEARING OF OBJECTIONS TO THE FINAL REPORT, ACCOUNT AND PETITION FOR DISCHARGE OF EXECUTOR FOR FINAL SETTLEMENT OF SAID ESTATE AND TO DETERMINE THE HEIRSHIP OF THE DECEDENT AND THE DISTRIBUTION OF SAID ESTATE.

JOSE E. ARMIJO  
ATTORNEY-AT-LAW  
LAS VEGAS, NEW MEXICO

September 7, 1939.

Mr. Carl B. Livingston, Attorney,  
Office of Commissioner of Public Lands,  
Santa Fe, New Mexico.

Dear Mr. Livingston:

A petition has been filed by the Iverson Tool Company, being Case No. 17, before the Oil Conservation Commission, seeking determination of the status of the well generally known as the "Cabra Springs Oil and Gas Company No. 1," located upon the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 22, Township 12 N. R. 22 East (San Miguel County, N.M.)

As you know, the hearing on this petition has been set for 10 o'clock, A.M., September 18th, at Santa Fe, New Mexico, and Atwood & Malone, Attorneys, of Roswell, New Mexico, represent the petitioner.

I represent Mr. and Mrs. J. B. Eakin, who have been caretakers at this well for a number of years, and who have a claim of lien for labor for services rendered in connection with this well. This lien was filed in the office of the County Clerk of San Miguel County, New Mexico and recorded on June 26, 1939 in Book 3 of Liens, at pages 179-180. It has been my intention to appear personally before the Commission at said hearing on behalf of Mr. and Mrs. Eakin, but I find that I must serve as Special Master at a sale to be held here in Las Vegas on the same date and at the same hour, and I enclose herewith one of the publications of the notice of said sale, which corroborate my statements to you.

I wonder whether the hearing before the Oil Conservation Commission could not be postponed from 10 o'clock, A.M., to 2 o'clock, P.M., of the same day, at which time I could be there. It is, of course, impossible for me to be at both places at the same time, and since the publication of the local sale has already been made it is impossible to postpone it without serious loss and inconvenience to the parties here locally. Postponement from the morning to the afternoon of the hearing before your Commission could not be of material difference or loss to any of the parties concerned in said hearing.

2 - Mr. Livingston:

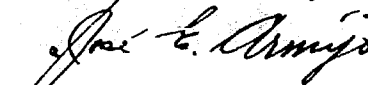
I am writing to Messrs. Atwood and Malone at Roswell, attorneys for the petitioner, requesting that they agree to this postponement from the morning to the afternoon of the same day. In that way I could attend to the sale here at 10 o'clock in the morning of the same day, and be in Santa Fe to attend the hearing there at 2 o'clock, P.M.

Will you kindly advise me whether or not this arrangement is suitable to your Commission? I assure you that if such an arrangement can be made it will be greatly appreciated by the writer.

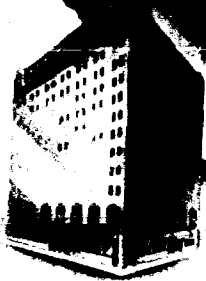
am,

Thanking you for your courtesy in this matter, I

Very truly yours,



Attorney for Mr. and Mrs.  
J. B. Eakin, Claimants.



FRANK J. DEAN  
PRESIDENT

*Hotel* **INTERSTATE**

FOURTEENTH AND BALTIMORE AVENUE  
KANSAS CITY, MISSOURI

August 21st, 1939.

Mr. Carl Livingston,  
N.M. State Oil Cons. Commission,  
Santa Fe, N.M.

Dear Mr. Livingston:-

In re Iverson - Cabra Springs, etc.

Please accept my thanks for advising me  
of the meeting date for hearing of the above  
captioned matter.

Yours very truly,

*David J. Edwards*

David J. Edwards.

August 18, 1939

Mr. William R. Thompson  
Santa Rosa, New Mexico

Re: Application of Iverson Tool Company to have determined as abandoned the well generally known as the Cabra Springs Oil and Gas Company-North American Investment Company No. 1, located upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 22-12N-22E., San Miguel County; to withdraw casing therefrom and plug same in accordance with requirements of Oil Conservation Commission.

Hear Mr. Thompson:

Enclosed please find Notice of Hearing in the above captioned matter, set for September 18 at Santa Fe.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:lk  
Enc.

August 18, 1939

New Mexico Examiner  
Santa Fe, New Mexico

Gentlemen:

There is enclosed herewith a Notice for Publication, which you are kindly requested to publish once immediately. You are also requested to furnish this Commission with a copy containing this publication.

Immediately upon completion of the publication be sure to transmit to the Oil Conservation Commission your affidavit of publication.

Upon sending to the Commission your affidavit of publication, please send your statement in duplicate and enclosed purchase voucher, also in duplicate.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Encls.

August 18, 1939

Las Vegas Daily Optic  
Las Vegas, New Mexico

Gentlemen:

There is enclosed herewith a Notice for Publication, which you are kindly requested to publish once immediately. You are also requested to furnish this Commission with a copy containing this publication.

Immediately upon completion of the publication be sure to transmit to the Oil Conservation Commission your affidavit of publication.

Upon sending to the Commission your affidavit of publication, please send your statement in duplicate and enclosed purchase voucher, also in duplicate.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Encls.



August 18, 1939

Mr. David J. Edwards  
Box 278  
Santa Rosa, New Mexico

Re: Application of Iverson Tool Company to have determined as abandoned the well generally known as the Gabra Springs Oil and Gas Company-North American Investment Company No. 1, located upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 22-12N-22E., San Miguel County; to withdraw casing therefrom and plug same in accordance with requirements of Oil Conservation Commission.

My dear Mr. Edwards:

Enclosed please find Notice of Hearing in the above captioned matter, set for September 18 at Santa Fe.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Enc.

cc - Hotel President  
Fourteenth & Baltimore Avenue  
Kansas City, Missouri

August 18, 1939

Mr. J. B. Eakin  
Santa Rosa, New Mexico

Re: Application of Iverson Tool Company to have determined as abandoned the well generally known as the Cabra Springs Oil and Gas Company-North American Investment Company No. 1, located upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 22-12N-22E., San Miguel County; to withdraw casing therefrom and plug same in accordance with requirements of Oil Conservation Commission.

My dear Mr. Eakin:

Enclosed please find Notice of Hearing in the above captioned matter, set for September 18 at Santa Fe.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Enc.

August 18, 1939

Colonel J. D. Atwood  
Roswell, New Mexico

Re: Application of Iverson Tool Company to have determined as abandoned the well generally known as the Cabra Springs Oil and Gas Company-North American Investment Company No. 1, located upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Sec. 22-12~~W~~22E., San Miguel County; to withdraw casing therefrom and plug same in accordance with requirements of Oil Conservation Commission.

My dear Colonel:

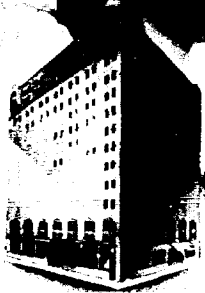
Enclosed please find Notice of Hearing in the above captioned matter set for September 18 at Santa Fe.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:ik  
Enc.



Hotel Franklin

FOURTEENTH AND BALTIMORE AVENUE  
KANSAS CITY, MISSOURI

Aug. 10, 1939.

Mr. Carl Livingston,  
N. M. State Oil Commission,  
Santa Fe, N. M.

Dear Mr. Livingston:—

In re Caba Springs well 22-12N22E  
& Iverson Tool Co's petition to  
remove casing, etc.

Thanks for your letter of information,  
& your copy of letter to Mr. Malone  
advising the above matter would  
come before your next meeting.

Will you kindly inform me of  
the date of meeting & what I can  
present to the Commission to  
show our intentions of deepening  
the well, that is, beside securing  
the drilling bond. (I find this isn't  
such an easy matter). Thanking  
you, I am yours very truly,  
David J. Edwards.

NEW MEXICO OIL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

John E. Miles  
XXXXXXXX

August 4, 1939

C  
O  
P  
Y  
  
Mr. David J. Edwards  
Hotel President  
Kansas City, Missouri

Re: Petition of Iverson Tool  
Company to Plug Abandoned  
Well

Dear Mr. Edwards:

Further answering your inquiry of August 1,  
enclosed please find carbon copy of letter written  
to Atwood and Malone, Attorneys for Iverson Tool  
Company, which letter is self-explanatory.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:mc  
Encl.

NEW MEXICO OIL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

August 3, 1939

Mr. David J. Edwards  
Hotel President  
Kansas City, Missouri.

Dear Mr. Edwards:

Re: Cabra Springs, Well in Sec. 21,  
T. 12N. R22E. San Miguel County.

In reply to your inquiry of August 1st, The Iverson Tool Company has filed the petition for the withdrawing of casing and the adjudication of the above captioned well as abandoned. The petition, however, was returned a few days ago to the attorneys of the petitioner for a certain suggested revision. The petition has not as yet been resubmitted.

Very truly yours,

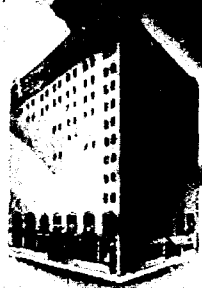
OIL CONSERVATION COMMISSION

By \_\_\_\_\_  
Attorney

CBL:hmc

cc Iverson Tool Company  
Midland, Texas

C  
O  
P  
Y



# Hotel Franklin

FOURTEENTH AND BALTIMORE AVENUE  
KANSAS CITY, MISSOURI

FRANK J. DEAN  
PRES.

Mr. Carl B. Livingston,  
N.M. Oil Con. Comm.  
Santa Fe, N.M.

RECEIVED  
AUG 3 1939

Dear Mr. Livingston:—

In re Cobra Springs Oil & Gas Co.  
well Sec. 21-112N, R22E.  
San Miguel County.

Thanks for your letter of 7/3/39  
informing me that The Lorrison  
Tool Company had not filed its  
petition for a plugging permit.

If perchance they have since  
filed, I will appreciate your  
advising me.

With best wishes and kindest  
regards. I am

yours very truly,

David J. Edwards.

Cobra Springs Oil & Gas Co.

P.S. Hope to get a satisfactory arrangement  
with the bonding company in the near  
future. — Thank. E.

NEW MEXICO OIL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

John E. Miles  
xxxxxxx

August 4, 1939

C  
O  
P  
Y  
  
Atwood and Malone  
Attorneys at Law  
Roswell, New Mexico

Attention: Ross L. Malone, Jr., Esq.

Re: Petition of Iverson Tool Company  
to Plug Abandoned Well.

Gentlemen:

Your revised petition in the above captioned matter submitted in your letter of August 2, will be brought to the attention of the Commission when it meets again. You will be promptly advised as to the Commission's action.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:mc



JEFF O. ATWOOD  
ROSS L. MALONE, JR.

ATWOOD & MALONE  
LAWYERS

J. P. WHITE BUILDING  
ROSWELL, NEW MEXICO

August 2, 1939

Mr. Carl A. Livingston  
Attorney  
Oil Conservation Commission  
Santa Fe, New Mexico

RE: Petition of Iverson Tool  
Company to Plug Abandoned  
Well.

Dear Mr. Livingston:

Thank you very much for your recent letter and your suggestions in connection with the Petition which we have prepared in the above matter.

We have rewritten the Petition, setting out in more detail the facts constituting the abandonment of said well, and it is enclosed herewith, with the request that if you find it proper you file it with the Commission and request them to take the necessary steps for the holding of a hearing thereon.

For your information, we will have available at this hearing additional testimony as to the facts of the abandonment of the well. We cannot allege these facts in more detail in this Petition, for the reason that the man who will testify thereto was not available at this time so that we might obtain the details in that connection.

Our clients are very anxious that this hearing be held at the earliest possible time and we will appreciate your having the hearing set as soon as possible and the necessary publication made in that connection.

We certainly appreciate the co-operation which you have given us in connection with this matter, and want

Mr. Carl A. Livingston  
Page #2

to thank you for your interest. We will appreciate  
your advice as soon as the date for hearing has been  
set.

With best wishes, we are,

Very truly yours,

ATWOOD & MALONE.

By

*Keith L. Malone*

RLM\*B

ENC.

August 2, 1939

C  
O  
P  
Y  
  
Iverson Tool Company  
Fort Worth, Texas

Attention: Mr. S. J. Iverson

Re: Abandonment of Cabra Springs  
Dry Hole Well

Gentlemen:

In reply to your letter of July 29, Atwood and Malone, Esquires submitted the draft of your petition in the above captioned matter in their letter dated July 11 inviting suggestions as to same.

The writer returned the petition to the same said parties with suggestions in a letter dated July 15. The petition in question has not thus far been re-submitted.

Very truly yours,

OIL CONSERVATION COMMISSION

By \_\_\_\_\_  
Carl B. Livingston  
Attorney

CBL:mc

# IVERSON TOOL COMPANY

## OIL WELL SUPPLIES

GENERAL OFFICES  
BOX 1227  
TULSA, OKLA.

FORT WORTH CLUB BLDG.

FORT WORTH, TEXAS

July 29, 1939.

### BRANCHES AT

FAIRFAX, OKLAHOMA  
OKLAHOMA CITY, OKLAHOMA  
OKMULGEE, OKLAHOMA  
TULSA, OKLAHOMA  
ARTESIA, NEW MEXICO  
SALEM, ILLINOIS  
BORGER, TEXAS  
KILGORE, TEXAS  
ODESSA, TEXAS  
PAMPA, TEXAS  
WINK, TEXAS

Mr. Carl Livingston,  
Oil Conservation Commission,  
Santa Fe, New Mexico.

Dear Mr. Livingston:

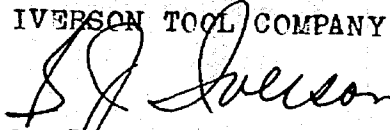
Re: Abandonment of Cabra  
Springs Dry Hole Well.

I believe that through our attorneys, Atwood and Malone, we have presented all your requirements regarding bond, plugging petition, etc., on Cabra Springs Oil and Gas Company's lease in San Miguel County.

The delay is very costly to our company through certain expenses and I would certainly appreciate your pushing this matter as fast as possible.

Yours very truly,

IVERSON TOOL COMPANY

  
S. J. Iverson

SJI:FM

(See Enclosure Book Co.  
1000)

July 15, 1939

Atwood & Malone  
J.O.P. White Building  
Roswell, New Mexico

Re: Cabra Springs Gas Company Well upon NE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
Sec. 22-12N-22E. (San Miguel County).

ATTENTION: Ross L. Malone, Jr., Esq.

Gentlemen:

In reply to your letter of July 11, enclosing Petition for Consent to Plugging of Abandoned Well, \$5,000.00 drilling bond upon Form 39-B1 to cover such operation, and Miscellaneous Notices in triplicate upon Form C-102, please be advised that I have one suggestion to make in connection with this petition before presenting it to the Commission for its consideration in ordering the formal hearing.

The order of hearing and notice published pursuant thereto are based upon the petition. Ownership of property such as the casing and well ownership which you set up are not alone sufficient. Until a well is voluntarily abandoned by the record permittee, it technically has the status of an unabandoned well. The status of the well as abandoned or unabandoned is most material. If the well be proved to be abandoned, then it ought to be plugged and the Commission could consider your application upon Form C-102. Therefore, you should allege facts of abandonment and in your prayer ask that the well's status as an abandoned well be ordered by the Commission.

Your petition is therefore returned with the foregoing suggestion for your consideration. The bond and Form C-102 in triplicate will be retained.

The Commission does not undertake to adjudicate title. From your exhibits it is apparent that title has been adjudicated by proper forum.

In connection with the drilling bond, it fulfills all requirements of the Commission. The bond will, however, be held for formal acceptance if you are successful in obtaining order from the Commission upon hearing holding that the well is abandoned and permitting you to withdraw casing and to plug. You would not want the bond accepted unless you knew that such order was a reality, because otherwise it would be difficult to get the bond released.

Very truly yours,

OIL CONSERVATION COMMISSION

By \_\_\_\_\_  
Carl S. Livingston  
Attorney

CBL:ik

ATWOOD & MALONE  
LAWYERS

JEFF D. ATWOOD  
ROSS L. MALONE, JR.

J. P. WHITE BUILDING  
ROSWELL, NEW MEXICO

July 11, 1939

Mr. Carl B. Livingston  
Attorney  
Oil Conservation Commission  
Santa Fe, New Mexico

Dear Mr. Livingston:

A short time ago, Mr. S. J. Iverson, representing Iverson Tool Company, which we represent, discussed with you the matter of obtaining the consent of the Commission to the plugging of the Cabra Springs well situate on the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 22, Township 12 North, Range 22 East.

We discussed this matter with Mr. Iverson after he was in Santa Fe and as we understand it, it will be necessary under the circumstances for Iverson Tool Company to file a petition before the Oil Conservation Commission for consent to plug this well.

In accordance therewith we have prepared and are enclosing herewith such a petition, together with Notice of Intention to Plug Well executed in triplicate by Iverson Tool Company and a \$5000.00 surety bond duly executed on Form 39-B1.

Because of your familiarity with proceedings of this kind, we preferred to forward our petition to you for examination before filing and we would appreciate it very much if you will examine the petition with that in mind. If there are any changes or additions which in your opinion are necessary, will you please return the petition to us and advise us of such changes? If you should find the petition to be sufficient as written, we will appreciate very much your filing it with the Commission.

We understand from Mr. Iverson that the rules of the Commission require that in this situation notice be published and a hearing held before permission to plug the well is granted. If that is the procedure which should be followed

Page 2  
Mr. Carl B. Livingston  
July 11, 1939

in this case, we would like to be advised as soon as possible the date upon which the hearing will be held and we hope that it will be possible to have the matter disposed of without undue delay.

It occurs to us that under the final judgment and bill of sale attached to our petition, the Court, having jurisdiction of all interested parties, has granted to Iverson Tool Company the consent of the defendants to the plugging of this well. For that reason we have included allegations as to the title in addition to allegations that the well is abandoned, which is undoubtedly a fact.

If anything further is required in this connection or if there is any filing fee for the filing of the petition, please advise us and we will remit by return mail.

Thanking you for your cooperation in this connection and with best wishes, we are

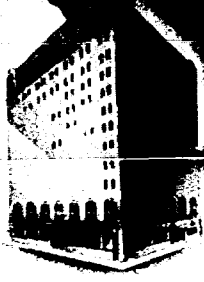
Very truly yours,

ATWOOD & MALONE

By:

*Carl B. Livingston*

RLM:gb



**City President**

FOURTEENTH AND BALTIMORE AVENUE  
KANSAS CITY, MISSOURI

FRANK J. DEAN  
PRESIDENT

Mr. Carl Livingston,  
Oil Commission,  
Santa Fe, N. M.

July 12, 1939  
JUL 12 1939  
RECEIVED  
CITY OF KANSAS CITY

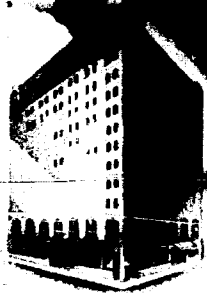
Dear Mr. Livingston:—

After leaving your office some  
two weeks ago I tried to locate  
Miss Dean, Capitol Bond & Insur-  
ance Agency, to talk over the  
requirements for a drilling bond  
for the Cobra Springs Oil & Gas Co.  
well in Sec. 22, T12N, R22E.

Not being able to see Miss Dean  
I asked her secretary to write me.  
From her letter I received forms  
of the Central Surety & Insurance  
Co of this City.

It is necessary that I get  
an indemnitor bond and am  
working toward this end now.





# Hotel President

FOURTEENTH AND BALTIMORE AVENUE  
KANSAS CITY, MISSOURI

FRANK J. DEAN  
PRESIDENT

#2 - 7/10/39 -

As I have had no word from  
you I do not suppose a hearing  
date has been set for the  
Lvarsson Pool Company request  
for a plugging permit.

Will you please advise me  
when such date is set, as it is  
our intention to deepen this  
well.

Thanking you, I am  
yours very truly,  
David J. Edwards.

Mail will reach me here,  
or addressed to Box 278,  
Santa Rosa, N.M.

July 13, 1939

Mr. David J. Edwards  
Hotel President  
Fourteenth & Baltimore Avenue  
Kansas City, Missouri

Re: Cabra Springs Gas Co. well  
upon Sec. 21-12N-22E. San  
Miguel County.

Dear Mr. Edwards:

In reply to your letter of July 10, the Iverson Tool Company has not filed its petition before the Commission for the purpose of having the status of the above captioned well determined as abandoned and for the further purpose of withdrawing casing.

As requested, I shall endeavor to inform you if such petition is filed and hearing ordered, but cannot guarantee to remember to do so in view of the fact that this is a tremendously busy office. It would be well for you to make inquiry occasionally, or else have some abstractor, whose business it is to watch details for outsiders, to inform you.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:lk  
cc - P. O. Box 278  
Santa Rosa, New Mexico.

NEW MEXICO OIL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

COPY

By Carl B. Livingston  
Santa Rosa

December 17, 1937

Mr. H. A. Hershfield  
The Hotel Vail  
Pueblo, Colorado

Re: Cabra Springs Gas Co. well  
Upon Sec. 21-12N-22E. San  
Miguel County.

Dear Mr. Hershfield:

Your attention has been repeatedly called to the necessity of submitting a satisfactory drilling bond in connection with the above designated well. This matter has dragged along for an unreasonably long time, and this is to request your immediate and undivided attention to the matter.

I trust that you will not force the Commission to shut down your operations.

Very truly yours,

OIL CONSERVATION COMMISSION

By Carl B. Livingston  
Attorney

CBL:m  
cc: Mr. Geo. W. McMahon  
Mr. Hershfield, Santa Rosa  
Mr. Horn  
Mr. Andreas

BEFORE THE OIL CONSERVATION  
COMMISSION OF THE STATE  
OF NEW MEXICO

IN THE MATTER OF THE HEARING CALLED  
BY THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO FOR THE  
PURPOSE OF CONSIDERING:

CASE NO. 17.

THE PETITION OF IVERSON TOOL COMPANY TO  
HAVE DETERMINED THE STATUS OF THE WELL  
"GENERALLY KNOWN AS THE CABRA SPRINGS OIL  
AND GAS COMPANY - NORTH AMERICAN INVESTMENT  
COMPANY NO. 1", LOCATED UPON THE NE $\frac{1}{4}$ NE $\frac{1}{4}$  OF  
SECTION 22, TOWNSHIP 12 NORTH, RANGE 22 EAST  
(SAN MIGUEL COUNTY), AS ABANDONED; TO WITHDRAW  
CASING THEREFROM AND PLUG SAID WELL IN ACCORD-  
ANCE WITH THE REQUIREMENTS OF THE NEW MEXICO  
OIL CONSERVATION COMMISSION.

ORDER NO. 242.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at ten o'clock A. M., Decem-  
ber 6, 1939, at Santa Fe, New Mexico.

NOW, on this 20th day of February, 1940, the Commission  
having before it for consideration the testimony adduced at the  
hearing of said case and being fully advised in the premises, the  
Commission finds:

F I N D I N G S

1. That notice by publication of the filing of the appli-  
cation herein, the time and the place of the hearing thereon, and  
the purpose of said hearing, has been regularly given in all  
respects as required by law, and the Commission has jurisdiction  
of the subject matter embraced in said petition and of the parties  
interested therein, and jurisdiction to issue and promulgate the  
hereinafter prescribed order.

2. That the well generally known as the "Cabra Springs  
Oil and Gas Company - North American Investment Company No. 1",  
located upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of section 22, Township 12 North, Range  
22 East (San Miguel County), is not a producer, has several hundred  
feet of water in the hole, is unplugged, drilling activities in

connection therewith have either ceased or have been negligible for an unreasonably long time, and in such sense is an abandoned well.

3. That the Petitioner has accompanied its petition with a \$5,000.00 plugging bond upon Form 39-B1, conditioned in substance upon approved abandonment of said well, and that said bond is sufficient in form and substance for the purpose intended; and that no other plugging bond whatsoever is on file with the Commission to cover such approved abandonment of said well.

4. That the Petitioner has likewise accompanied its petition with Notice of Intention to Plug Well upon Form C-102 in triplicate.

5. That the Petitioner accompanied its petition with certified copies of Final Judgment and Master's Bill of Sale in Civil Cause No. 11841, Iverson Tool Company, Plaintiff, v. Hershfield Oil Development Company and Cabra Springs Oil and Gas Company, Defendants, and North American Investment Company, Intervenor, in the District Court of San Miguel County, which proceedings purport to place title of said casing and right-of-way over the premises to said well for the purpose of obtaining said casing in the petitioner herein.

#### O R D E R

IT IS THEREFORE ORDERED by the Oil Conservation Commission of the State of New Mexico as follows:

1. That the Cabra Springs Oil and Gas Company - North American Investment Company No. 1 Well, located upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 22, Township 12 North, Range 22 East (San Miguel County), is an abandoned well and should be plugged in accordance with the rules and regulations of the Oil Conservation Commission.

2. That the Petitioner's petition to plug said well and to withdraw casing therefrom is hereby granted in accordance with the rules and regulations of the Commission, subject, however, to the following:

- A. To the usual administrative requirements of the Commission in the process of abandoning said well;
- B. To the Petitioner having and assuming full responsibility for right of way over the premises involved for the purpose of accomplishing such abandonment;
- C. To the Petitioner having and assuming full responsibility for title of said casing and for any and all liens thereupon.

OIL CONSERVATION COMMISSION

By John E. Miles  
Governor

By Frank B. Worden  
Commissioner of Public Lands

By A. Andrews  
State Geologist

Legal Notice.

TIME FOR PUBLICATION  
STATE OF NEW MEXICO  
OIL CONSERVATION  
COMMISSION

Pursuant to Chapter 72, Session Laws of 1933, State of New Mexico, by which Act the Oil Conservation Commission of New Mexico was created, investing said Commission with the jurisdiction and authority over all matters relating to the conservation of oil and gas in this state and of the enforcement of all provisions of said Act, notice is hereby given that a public hearing will be held at the Capitol, Santa Fe, New Mexico, on the 6th day of December, 1939, at ten o'clock A. M., for the purpose of considering the following:

Case No. 17.

The petition of Iverson Tool Company to have determined the status of the well "generally known as the Cabra Springs Oil and Gas Company—North American Investment Company No. 1," located upon the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 22, Township 12 North, Range 22 East (San Miguel County), as abandoned; to withdraw casing therefrom and plug said well in accordance with the requirements of the New Mexico Oil Conservation Commission.

Resident attorneys for petitioner are Atwood & Malone, Roswell, New Mexico.

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

Given under the seal of said Commission at Santa Fe, New Mexico, on October 31, 1939.

OIL CONSERVATION  
COMMISSION.

(SEAL) By (Sgd.) Frank Worden,  
Commissioner of Public Lands.

By (Sgd.) A. Andreas,  
State Geologist.

Published Nov. 2, 1939.

Affidavit of Publication

Nov. 8, 1939

STATE OF NEW MEXICO  
COUNTY OF SANTA FE  
CITY OF SANTA FE

ss.

Larry Bynon, hereby swear  
firm that I am the Publisher  
New Mexico Examiner, a newspaper of general circulation  
City of Santa Fe, the County of Santa Fe, and the State of  
Mexico, printed daily in the City of Santa Fe; that the at-

is a true copy of Publication  
appeared in the New Mexico Examiner, issues of  
number 3, 1939, in a full and complete  
of the paper.

newspaper is duly qualified to publish legal notices or advertisements  
the meaning of Sec. 3, Chapter 167, Laws of 1937.

Signed:

STATE OF NEW MEXICO  
COUNTY OF SANTA FE  
CITY OF SANTA FE

ss.

Larry Bynon appeared before me this  
8<sup>th</sup> day of November, 1939, known to me  
to be the person above making affidavit, and after being duly  
sworn, deposes and says that the statements above made are true  
and accurate to the best of his knowledge.

Edna Wrazer  
Notary Public in and for Santa Fe  
County, State of New Mexico.

My Commission expires:

April 24, 1944

**Affidavit of Publication**

Nov. 8, 1939

STATE OF NEW MEXICO  
COUNTY OF SANTA FE } ss.  
CITY OF SANTA FE

I, Larry Bynon, hereby swear  
and affirm that I am the Publisher  
of the New Mexico Examiner, a newspaper of general circulation  
in the City of Santa Fe, the County of Santa Fe, and the State of  
New Mexico, printed daily in the City of Santa Fe; that the at-  
tached is a true copy of Publication  
as it appeared in the New Mexico Examiner, issues of  
November 3, 1939, in a full and complete  
edition of the paper.

This newspaper is duly qualified to publish legal notices or advertisements  
within the meaning of Sec. 3, Chapter 167, Laws of 1937.

Signed: Larry Bynon

STATE OF NEW MEXICO  
COUNTY OF SANTA FE } ss.  
CITY OF SANTA FE

Larry Bynon appeared before me this  
8th day of November, 1939, known to me  
to be the person above making affidavit, and after being duly  
sworn, deposes and says that the statements above made are true  
and accurate to the best of his knowledge.

Edna Draper  
Notary Public in and for Santa Fe  
County, State of New Mexico.

My Commission expires: April 24, 1944



NOTICE FOR PUBLICATION  
State of New Mexico  
Oil Conservation Commission

Pursuant to Chapter 72, Session Laws of 1935, State of New Mexico, by which Act the Oil Conservation Commission of New Mexico was created, investing said Commission with the jurisdiction and authority over all matters relating to the conservation of oil and gas in this state and of the enforcement of all provisions of said Act, notice is hereby given that a public hearing will be held at the Capitol, Santa Fe, New Mexico, on the 6th day of December, 1939, at ten o'clock A. M., for the purpose of considering the following:

Case No. 17.

The petition of Iverson Tool Company to have determined the status of the well "generally known as the Cabra Springs Oil and Gas Company—North American Investment Company No. 1", located upon the NE¼ NW¼ of Section 22, Township 12 North, Range 22 East (San Miguel County), as abandoned; to withdraw casing therefrom and plug said well in accordance with the requirements of the New Mexico Oil Conservation Commission.

Resident attorneys for petitioner are Atwood & Malone, Roswell, New Mexico.

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

Given under the seal of said Commission at Santa Fe, New Mexico, on October 31, 1939.

Tau

OIL CONSERVATION  
COMMISSION  
By (Sgd.) FRANK WILSON,  
Commissioner of Public Lands.  
By (Sgd.) A. ANDREAS,  
State Geologist.

Manager,

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO, }  
COUNTY OF SAN MIGUEL } ss.

P. B. Dailey

, being first duly sworn, on oath states: That he is the (editor) (business manager) of the Las Vegas Daily Optic, a daily newspaper of general paid circulation and of general circulation in San Miguel County, New Mexico, entered under the second class postal privilege in said county, being the county in which the notice hereto attached is required to be published and said paper has been published in said San Miguel County continuously and uninterruptedly during a period of six months next prior to the first issue thereof containing said notice. That the notice of which a copy as published is hereto attached and hereby made a part hereof was published in the English language in said newspaper once ~~each week~~ for one time ~~consecutive weeks~~ on the following dates, to-wit:

First Publication on the 1 2nd day of November, 1939.

Second Publication on the day of , 1939.

Third Publication on the day of , 1939.

Fourth Publication on the day of , 1939.

That such notice is a legal notice and was published in said newspaper duly qualified for that purpose within the meaning of the provisions of Chapter 167, Session Laws of 1937, and that payment therefor has been made—assessed as Court costs.

Business Manager

Subscribed and sworn to before me this 3rd day of November,

1939.

Notary Public.

My Commission expires Feb. 15, 1940.

No 395

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO, )  
COUNTY OF SAN MIGUEL ) ss.

P. B. Dailey

being first duly sworn,  
on oath states: That he is the (editor) (business manager) of the Las Vegas Daily Optic, a daily newspaper of general paid circulation and of general circulation in San Miguel County, New Mexico, entered under the second class postal privilege in said county, being the county in which the notice hereto attached is required to be published and said paper has been published in said San Miguel County continuously and uninterruptedly during a period of six months next prior to the first issue thereof containing said notice. That the notice of which a copy as published is hereto attached and hereby made a part hereof was published in the English language in said newspaper once ~~each week~~ for one time ~~consecutive weeks~~ on the following dates, to-wit:

First Publication on the 1 2nd day of November, 1939  
Second Publication on the day of , 193  
Third Publication on the day of , 193  
Fourth Publication on the day of , 193

That such notice is a legal notice and was published in said newspaper duly qualified for that purpose within the meaning of the provisions of Chapter 167, Session Laws of 1937, and that payment therefor has been made—assessed as Court costs.

*P. B. Dailey*  
Editor Business Manager

Subscribed and sworn to before me this 3rd day of November, 1939

*Louise P. Dittler*  
Notary Public.

My Commission expires Feb. 15, 1940

NO. 395 PUBLICATION  
New Mexico  
Commissioner

Chapter 72, Session  
Laws of New Mexico,  
1937, Chapter 167, Session  
Laws of New Mexico was cre-  
ated and the Commission  
was organized and authority  
conferred upon it by the con-  
stitution of this state  
and the laws of New Mexico.  
The Commission is hereby  
authorized to publish for the

TRAP  
ALEXANDER DUMAS  
FRIDAY AND S.  
LYNN BARR

PUBLISHER'S BILL

50 lines one time @ 8¢ \$4.00  
lines @ \$  
Tax \$  
Total \$4.00  
Received payment,  
Manager,

CASE NO. 17.

ORDER OF PROCEDURE TO CONSIDER THE  
PETITION OF IVERSON TOOL COMPANY TO  
HAVE DETERMINED THE STATUS OF THE  
CABRA SPRINGS OIL AND GAS COMPANY-  
NORTH AMERICAN INVESTMENT COMPANY NO. 1  
WELL AS ABANDONED, TO WITHDRAW CASING  
THEREFROM AND PLUG SAID WELL.

1. GOVERNOR MILES OPENS MEETING AND MAKES SUCH REMARKS AS HE DEEMS APPROPRIATE.
2. COMMISSIONER WORDEN ORDERS READING OF NOTICE OF HEARING.
3. WHEN READING OF NOTICE IS FINISHED, COMMISSIONER WORDEN ANNOUNCES THAT THE COMMISSION IS READY TO PROCEED.
4. THE COMMISSION ANNOUNCES: OWING TO THE FACT THAT THE COMMISSION HAS BEEN INFORMED THAT CONSIDERABLE RESISTANCE IS TO BE EXPECTED AGAINST THE PETITIONERS AND FEARING THAT THE HEARING CANNOT BE CONCLUDED TODAY, THE COMMISSION HAS ALREADY NOTIFIED ALL PARTIES INDICATING INTEREST IN THE HEARING THAT THE COMMISSION WILL CONTINUE THE HEARING IN THIS CASE TO SOME DATE AFTER OCTOBER 10.
5. THE COMMISSION EXECUTES ORDER FOR CONTINUANCE OF HEARING TO SOME DEFINITE DATE IN THE FUTURE.

BEFORE THE OIL CONSERVATION  
COMMISSION OF THE STATE  
OF NEW MEXICO

IN THE MATTER OF THE HEARING CALLED  
BY THE OIL CONSERVATION COMMISSION OF THE  
STATE OF NEW MEXICO FOR THE PURPOSE OF  
CONSIDERING:

THE PETITION OF IVERSON TOOL COMPANY TO HAVE CASE NO. 17.  
DETERMINED THE STATUS OF THE WELL "GENERALLY ORDER NO. 207.  
KNOWN AS THE CABRA SPRINGS OIL AND GAS COMPANY-  
NORTH AMERICAN INVESTMENT COMPANY NO. 1," LOCATED  
UPON THE NE $\frac{1}{4}$ NE $\frac{1}{4}$  OF SECTION 22, TOWNSHIP 12 NORTH,  
RANGE 22 EAST (SAN MIGUEL COUNTY), AS ABANDONED;  
TO WITHDRAW CASING THEREFROM AND PLUG SAID WELL  
IN ACCORDANCE WITH THE REQUIREMENTS OF THE NEW  
MEXICO OIL CONSERVATION COMMISSION.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing September 18, 1939, at Santa  
Fe, New Mexico, with reference to the above designated matter.

The Commission ordered that the hearing in said cause  
be and is hereby recessed to eleven o'clock A. M., on the  
twenty-third day of October, 1939, at Santa Fe,  
New Mexico.

OIL CONSERVATION COMMISSION

By John E. Miles  
Governor

By Frank Woodruff  
Commissioner of Public Lands

By A. Andrus  
State Geologist

NOTICE FOR PUBLICATION  
STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION

Pursuant to Chapter 72, Session Laws of 1935, State of New Mexico, by which Act the Oil Conservation Commission of New Mexico was created, investing said Commission with the jurisdiction and authority over all matters relating to the conservation of oil and gas in this state and of the enforcement of all provisions of said Act, notice is hereby given that a public hearing will be held at the Capitol, Santa Fe, New Mexico, on the 6th day of December, 1939, at ten o'clock A. M., for the purpose of considering the following:

Case No. 17.

The petition of Iverson Tool Company to have determined the status of the well "generally known as the Cabra Springs Oil and Gas Company - North American Investment Company No. 1", located upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 22, Township 12 North, Range 22 East (San Miguel County), as abandoned; to withdraw casing therefrom and plug said well in accordance with the requirements of the New Mexico Oil Conservation Commission.

Resident attorneys for petitioner are Atwood & Malone, Roswell, New Mexico.

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

Given under the seal of said Commission at Santa Fe, New Mexico, on October 31, 1939.

OIL CONSERVATION COMMISSION

By \_\_\_\_\_

Governor

By \_\_\_\_\_

Commissioner of Public Lands

By \_\_\_\_\_

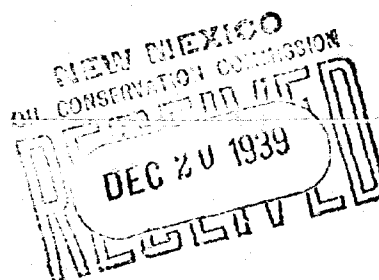
State Geologist

Case no. 17.  
Inerson Tool Company Case.

<u>name</u>	<u>company</u>	<u>address</u>
Rev. E. H. H. H.	Atty. in Charge Inerson Tool Co	Wendell, N.H.
J. J. J.	Inerson Tool Co	North Paris
H. H. H.	" "	Borgoona
W. W. W.	Cabra Springs Oil & Gas Co.	Wendell, N.H.
David Edwards Pres.	" "	Wendell, N.H.
H. H. H.	Borgoona Inerson Tool Co	Wendell, N.H.
Jose E. Amigo, Attorney		Las Vegas, N.M.

LAW OFFICES  
E. R. WRIGHT  
SANTA FE, N. M.

Dec. 19, 1939



Oil Conservation Commission,  
Santa Fe, New Mexico.

Gentlemen:

Enclosed herewith find original memorandum on behalf of the Cabra Springs Oil and Gas Co. in connection with the application of the Iverson Tool Co. to abandon well in Sec. 22, T. 12 N., R. 22 E.

Very truly yours,

*E. R. Wright*  
E. R. Wright

ERW-r

BEFORE THE OIL CONSERVATION COMMISSION

STATE OF NEW MEXICO

IN THE MATTER OF THE PLUGGING )  
OF A WELL FOR OIL AND GAS ( )  
SITUATE IN THE NE $\frac{1}{4}$ NE $\frac{1}{4}$  OF SEC- ) No. 17  
TION 22, TOWNSHIP 12 NORTH, ( )  
RANGE 22 EAST, N. M. P. M., )  
SAN MIGUEL COUNTY, NEW MEXICO. ( )

MEMORANDUM OF CABRA SPRINGS OIL AND GAS  
COMPANY

---

E. R. WRIGHT,  
Santa Fe, New Mexico

Attorney for Cabra Springs Oil  
and Gas Company



In reply to the memorandum filed by the Iverson Tool Company, the Cabra Springs Oil and Gas Company, hereinafter referred to as Cabra Springs, files this its reply memorandum:-

In petitioner's memorandum it is stated that the only question before the Commission is as to whether or not the well in question is an "abandoned well." We agree generally with this proposition, but make the further contention that in determining whether this well is abandoned, it is the duty of the Commission to take into consideration not only the rights of the respective parties, but also the interest of the public.

In this proceeding now pending before the Commission, we have the following situation:-

A well which has been drilled to the depth of approximately 4200 feet, with a 7-inch casing from the surface to a depth of approximately 4,000 feet, and while it is true that there is water in the hole at the present time, there is nothing to indicate that the well cannot be deepened at a reasonable expense and make a thorough test of the formation. Certainly the completing of such a test is a matter in which the public (people of the state of New Mexico) is vitally interested.

Without going into minute details and merely reviewing the high spots of the testimony taken before the Commission, it appears that prior to 1932 one Hershfield, undoubtedly a wildcat oil promoter, obtained a lease on the Cabra Springs property in his own name. Thereafter he organized various companies and by the sale of stock and oil interests, raised money to start the drilling of a well about a mile from the

site of the present well. This well was drilled to a depth of 2800 feet and then had to be abandoned because of mechanical difficulties, with the result that either late in 1932 or early in 1933 drilling was commenced on the present well. This drilling continued until the end of the year 1936. It appears from the testimony of Mr. Edwards that Hershfield had misrepresented conditions to those who had invested money with him, with the result that there was practically no drilling in 1937 until late in the year 1937, when some 40 feet of hole was drilled, and then Hershfield, in January of 1938, was forced to sever his connections with the Cabra Springs Oil and Gas Company and Mr. Edwards became President of the company and since that date has been endeavoring to rehabilitate the affairs of the Cabra Springs Oil and Gas Company.

It is not necessary to go into the details of his testimony except that it appears that he has cleared up between some \$40,000 and \$50,000 worth of indebtedness of the company by settlement, compromise and otherwise; that the lease on the Cabra Springs property is now in good standing and paid up until the end of 1940. It also appears from the testimony that the only claims outstanding which will remain to be adjusted, which could cause any complications in the affairs of the company, are one of Gross Kelly & Company of Las Vegas, New Mexico, to the amount of about \$1,700.00, and the claim of the caretaker, amounting to something over \$400.00. Mr. Edwards testified that both of these claims could be paid and adjusted through his efforts. Mr. Edwards also testified that over the course of two years he and his backers have advanced approximately \$10,000.00 in an effort to rehabilitate the company.

It is not necessary to go into the details of the law suit at Las Vegas, which resulted in the foreclosing of the

mechanic's lien held by the Iverson Tool Company and in a judgment and sale to the Iverson Tool Company of the rig, tools, casing, etc., in May of this year, the Iverson Tool Company bidding the sum of \$3,000.00, and the judgment itself as of the day of sale amounting to \$4,093.35 plus costs of advertising and special master's fees. It is also in evidence that since the date of the entry of judgment, which was in February of 1939, the Iverson Tool Company has expended approximately \$60.00 a month for a caretaker upon the property.

The Commission heard the testimony of both Mr. Iverson and Mr. Edwards relative to the efforts made by Mr. Edwards to settle, pay off and discharge the judgment since the date of the sale. The Commission also heard Mr. Edwards' testimony that he was sure that he could raise the necessary money to pay off and discharge this judgment. While it is true, as stated by counsel for the petitioner, that under the special oil well lien statute there is no equity of redemption, we take the position that this special oil well lien statute (Chap. 11, Session Laws of 1931) and the act giving the Commission authority to determine when an oil well is an abandoned well and prescribing the conditions under which a casing in an oil well may be pulled and the oil well plugged, must be read together, and certainly, if it appears to the Commission in a case of this kind that the lien claimant or creditor can be fully reimbursed and that the public interest will be best served by holding that the well is not abandoned and that such holding will give an opportunity to fully test the particular structure in question and determine whether or not oil exists therein, then, as we read the two acts, the Commission has the right to say to the parties in this proceeding --

"We find that the public interest does not justify us in

holding that this well is an abandoned well at the present time and we will give the Cabra Springs Oil and Gas Company a reasonable opportunity to pay off the judgment and thereby redeem the oil well equipment, notwithstanding the fact that the statute does not give any such right."

A clear reason for this is that it is known to the Commission that the casing in this well cannot be pulled without destroying the hole and making it impossible for Cabra Springs to obtain any benefit from the very heavy expenditure heretofore made in drilling the hole.

We, therefore, submit that the Commission should find that this well is not abandoned at the present time, and give the Cabra Springs Oil and Gas Company, and particularly Mr. Edwards further reasonable opportunity to raise the money to fully reimburse the Iverson Tool Company.

E. R. WRIGHT,  
Attorney for Cabra Springs Oil  
and Gas Company,  
Santa Fe, New Mexico.

ATWOOD & MALONE  
LAWYERS

JEFF D. ATWOOD  
ROSS L. MALONE, JR.



J. P. WHITE BUILDING  
ROSWELL, NEW MEXICO

December 12, 1939

Oil Conservation Commission  
Santa Fe, New Mexico

ATTENTION: Carl A. Livingston,  
Attorney.

RE: No. 17, Petition of  
Iverson Tool Company.

Gentlemen:

In accordance with the suggestion of the Commission, we are enclosing herewith a statement of our position in this case which we trust will be of assistance to the Commission in reaching its conclusion in this matter. We are enclosing three copies of the memorandum so that one copy will be available for each member of the Commission.

May we again respectfully direct the attention of the Commission to the fact that because of the many previous delays in this matter, an early decision will be greatly appreciated by all of the parties concerned.

We have forwarded a copy of this letter and a copy of our memorandum to Judge E. R. Wright, attorney for Cabra Springs Oil and Gas Company.

With best wishes, we are

Very truly yours,

ATWOOD & MALONE

By:

A handwritten signature in cursive script, appearing to read "Ross L. Malone, Jr.", written over the printed name "ATWOOD &amp; MALONE".

RLM:gb

cc: E. R. Wright, Esc.

DEC 14 1905

RECEIVED

BEFORE THE OIL CONSERVATION COMMISSION  
STATE OF NEW MEXICO

IN THE MATTER OF THE PLUGGING  
OF A WELL FOR OIL AND GAS  
SITUATE IN THE NE $\frac{1}{4}$ NE $\frac{1}{4}$  OF SEC-  
TION 22, TOWNSHIP 12 NORTH,  
RANGE 22 EAST, N. M. P. M.,  
SAN MIGUEL COUNTY, NEW MEXICO.

No. 17

MEMORANDUM OF PETITIONER,  
IVERSON TOOL COMPANY

ATWOOD & MALONE,  
Roswell, New Mexico

Attorneys for Petitioner

This memorandum is filed at the suggestion of the Commission to clarify the position of petitioner in this matter. It will be limited to this proposition as we assume that there is no question as to the Commission's authority to act and that the Commission, having heard the testimony, is as familiar with it as counsel and nothing will be gained by a detailed "rehash" thereof.

At the outset, may we state that there is only one question before the Commission in this case. Is the well in question an abandoned well? It was shown that there has been no drilling for two years, that water is standing in the hole and has been for some three years, and that the owner of the leasehold has no funds on which to operate. If the well is an abandoned well, then it should be plugged and the Commission has the power to authorize petitioner to plug it in accordance with the plans for operations heretofore submitted to the Commission.

The question of whether or not Cabra Springs Oil and Gas Company (which we will hereafter refer to as Cabra Springs) should be permitted additional time to repurchase the well and equipment from the petitioner, which Cabra Springs apparently attempted to inject into this matter at the hearing has no place in this proceeding whatever. As the Commission understands, Iverson Tool Company is the absolute owner of all equipment, supplies, rig, casing above the ground and in the

hole, etc., and has been authorized by the District Court to take any steps necessary to pull the casing, remove the property, etc. The law does not provide any right of redemption to Cabra Springs nor does it require the purchaser at the foreclosure sale to resell the equipment to Cabra Springs. It could not be contended that this Commission has the power to require petitioner to sell the equipment to Cabra Springs at any price whatever or to permit a redemption. As the matter stands, Cabra Springs had some five months during which it had an absolute right to redeem the property and since the expiration of its absolute right, approximately five months has expired during which it has been unable to make any cash offer to repurchase the property. It has no funds for that purpose at the present time. By reason of these facts, the petitioner has determined that it is now unwilling and will not sell the property to Cabra Springs under any circumstances and that it will stand upon its ownership thereof.

The facts disclosed by the testimony and which establish the well in question as an abandoned well are briefly these:

The well in question was in process of drilling intermittently during a period from 1932 to 1936. Since 1936 no drilling operations whatever have been carried on at the well with the exception of the thirty day period in the latter part of 1937, during which approximately forty feet were drilled. Since that time, the well has been standing with water in the hole and no operations carried on of any kind. Cabra Springs



has no funds with which to proceed. It appears from the testimony that the hole is in a very bad condition and that it would be extremely expensive for any person to case off the water and continue drilling. In addition to these facts, we have a present situation which it seems conclusively establishes the fact that this is an abandoned well. The rig, camp houses, water facilities and casing above the hole and in the hole all belong to Iverson Tool Company. It is unwilling to permit the use by Cabra Springs of any of this equipment to continue drilling even if Cabra Springs had the money to do so, which it has not. Admitting for purposes of argument that Cabra Springs owns the hole as distinguished from the casing therein, the situation is at an absolute impasse. It will be impossible for Cabra Springs to drill further under any circumstances as it does not own and cannot acquire the rig, casing, equipment, etc. It is impossible for Iverson Tool Company to carry on any drilling operations (which it has no intention of doing) for the reason that while it owns the rig and casing in the hole, it does not own the leasehold estate.

In view of the situation, it seems apparent that this is an abandoned well. It is a well which no one has the right to drill further. No operations have been carried on for the past two years and it is a legal impossibility for either of the interested parties to carry on drilling operations in the future on account of the diversion in ownership of leasehold estate and the rig and casing.

By the same token, Cabra Springs could not plug and abandon this well without the consent of Iverson Tool Company, which is the owner of the rig and casing, etc., so that if the well is ever to be plugged and abandoned and the public interest in the protection of sub-surface strata protected, it must be under an order of this Commission adjudicating the well to be abandoned and permitting its plugging.

The President of Cabra Springs, in testifying before the Commission was apparently seeking sympathy rather than asserting legal rights in the matter. We submit, however, that he has had every reasonable opportunity to salvage this property and has not done so. Almost two years have elapsed since he took over operation of the company and almost a year has elapsed since judgment was entered in the case, yet he has not availed himself of the legal right prior to sale or the offer of Iverson Tool Company subsequent to sale to re-acquire title to this property. This is in spite of the fact that according to his own testimony during said time he has had some \$10,000.00 in cash available for payment of the debts of Cabra Springs.

If there is any question of good faith in this matter, we believe that its total absence on the part of Cabra Springs was established by its failure to take care of the labor claim of its caretaker, forcing the caretaker to file a lien upon the property and placing him, to all intents

and purposes, in the same position now occupied by Iverson Tool Company.

This well started out as a promotion proposition under the direction of Mr. Hershfield and from the statement of Mr. Edwards on the witness stand as to the \$5.00, \$10.00 and \$25.00 amounts which he has received since he has been president, it is apparently continuing in the same manner. So long as this well remains unplugged, we have no doubt that the public generally will be solicited to invest funds therein, in spite of the fact that, as we have pointed out, should the funds be raised, Cabra Springs cannot continue drilling or use any of the equipment now located at the well for the reason that it no longer owns it.

In the light of the experience which the Commission and the State of New Mexico has had with similar promotion propositions, we submit that it is very much in the public interest to have this matter disposed of at the earliest possible time in a way which will prohibit the exploiting of the public on the basis of the existence of a well when the public in all probability is not advised as to all of the circumstances surrounding the well.

In conclusion, may we again state that there is only one question in this case: Is the well in question an abandoned well? Similarly, the Commission has only two alternatives in this case: First, to so adjudicate the well and authorize its plugging by petitioner; second, to determine

that the well is not abandoned and thereby to permit it to continue to stand indefinitely as it has for the past two years without any hope of drilling being continued in the future. The new management of the Cabra Springs has failed for two years in an effort to find "an angel". Faced as it was with the possible loss of all of the equipment during that period, it no doubt exhausted every recourse in an effort to produce such an "angel".

As we view it, only one conclusion may be drawn from the facts before the Commission. To all intents and purposes the well has been standing idle for three years. There would not even have been a caretaker at the well if Eakins had resigned when Cabra Springs quit paying their salary instead of continuing on with the hope that by filing a lien they might ultimately get their money. The lease being owned by Cabra Springs and the casing in the hole and all equipment being owned by Iverson Tool Company, neither party can drill the well further in the future, even if by some miracle Cabra Springs should obtain the money it has been seeking for two years. In the future, if the well is not plugged, this impasse would seem to indicate that it will stand as it has stood until such time as this Commission adjudicates it an abandoned well and has it plugged. There is not even in existence a bond from Cabra Springs to the State whereby at some later date this Commission could require Cabra Springs to plug the well or do it at the expense of the bondsmen. Under these

facts, if any well can ever be considered abandoned, this well occupies that status. The public interest requires that it be plugged. The Iverson Tool Company has been authorized by the District Court of San Miguel County, which had jurisdiction over all of the parties, to take all steps necessary to remove the casing from the well. We believe that this alone is sufficient to permit Iverson Tool Company to proceed, but have asked that the well be adjudicated by the Commission as an abandoned well prior to such action. Certainly petitioner is the logical person to be authorized to take this action. It is the only interested party which now has a bond filed with the Commission.

We therefore respectfully submit that the well in question is an abandoned well and should be so adjudicated by this Commission and that the application of Iverson Tool Company should be granted.

Respectfully submitted,

ATWOOD & MALONE

By Lawrence L. Malone Jr.  
Attorneys for Petitioner  
Roswell, New Mexico

NOTICE FOR PUBLICATION  
STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION

Pursuant to Chapter 72, Session Laws of 1935, State of New Mexico, by which Act the Oil Conservation Commission of New Mexico was created, investing said Commission with the jurisdiction and authority over all matters relating to the conservation of oil and gas in this State and of the enforcement of all provisions of said Act, notice is hereby given that a public hearing will be held at the Capitol, Santa Fe, New Mexico, on the 18th day of September, 1939, at ten o'clock A. M., for the purpose of considering the following:

Case No. 17.

The petition of Iverson Tool Company to have determined the status of the well "generally known as the Cabra Springs Oil and Gas Company - North American Investment Company No. 1", located upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 22, Township 12 North, Range 22 East (San Miguel County), as abandoned; to withdraw casing therefrom and plug said well in accordance with the requirements of the New Mexico Oil Conservation Commission.

Resident attorneys for petitioner are Atwood & Malone, Roswell, New Mexico.

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

Given under the seal of said Commission at Santa Fe, New Mexico, on August 16th, 1939.

OIL CONSERVATION COMMISSION

By Frank Worden  
Commissioner of Public Lands.

By A. Andreas  
State Geologist.

**NOTICE FOR PUBLICATION**

State of New Mexico  
Oil Conservation Commission

Pursuant to Chapter 72, Session Laws of 1935, State of New Mexico, by which Act the Oil Conservation Commission of New Mexico was created, investing said Commission with the jurisdiction and authority over all matters relating to the conservation of oil and gas in this State and of the enforcement of all provisions of said Act, notice is hereby given that a public hearing will be held at the Capitol, Santa Fe, New Mexico, on the 18th day of September, 1939, at ten o'clock A.M., for the purpose of considering the following:

Case No. 17.

The petition of Iverson Tool Company to have determined the status of the well "generally known as the Cabra Springs Oil and Gas Company—North American Investment Company No. 1", located upon the NE 1/4 - NE 1/4 of Section 22, Township 12 North, Range 22 East (San Miguel County), as abandoned; to withdraw casing therefrom and plug said well in accordance with the requirements of the New Mexico Oil Conservation Commission.

Resident attorneys for petitioner are Atwood & Melone, Roswell, New Mexico.

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

Given under the seal of said Commission at Santa Fe, New Mexico, on August 16, 1939.

OIL CONSERVATION  
COMMISSION

By (Sgd.) FRANK WORDEN,

Commissioner of Public Lands.

By (Sgd.) A. ANDREAS,

State Geologist.

(SEAL)

8-19

Received payment

Manager,

Nº 351

**AFFIDAVIT OF PUBLICATION**

STATE OF NEW MEXICO, }  
COUNTY OF SAN MIGUEL } ss.

P. B. Dailey

, being first duly sworn,

on oath states: That he is the ~~MANAGER~~ (business manager) of the Las Vegas Daily Optic, a daily newspaper of general paid circulation and of general circulation in San Miguel County, New Mexico, entered under the second class postal privilege in said county, being the county in which the notice hereto attached is required to be published and said paper has been published in said San Miguel County continuously and uninterruptedly during a period of six months next prior to the first issue thereof containing said notice. That the notice of which a copy as published is hereto attached and hereby made a part hereof was published in the English language in said newspaper once ~~each week~~ one time ~~each week~~ on the following dates, to-wit:

First Publication on the 19th day of August, 1939

Second Publication on the day of , 1939

Third Publication on the day of , 1939

Fourth Publication on the day of , 1939

That such notice is a legal notice and was published in said newspaper duly qualified for that purpose within the meaning of the provisions of Chapter 167, Session Laws of 1937, and that payment therefor has been made—assessed as Court costs.

~~XXXX~~

Business Manager

Subscribed and sworn to before me this 21st day of August,

1939

*Louise P. Titten*

Notary Public.

Feb. 15, 1940

My Commission expires , 19

Nº 351

**NOTICE OF PUBLICATION**

Oil Company—North American Investment Company No. 1, located upon the NE 1/4 of Section 22, Township 12 North, Range 22 East (San Miguel County), as abandoned to withdraw casing therefrom and plug said well in accordance with the requirements of the Oil Conservation Commission. Resident attorneys for said company are Atwood & Melone, Russell, New Mexico. Any person having any claim in the subject of the said hearing shall be required to be heard in said Commission at Santa Fe, New Mexico, on August 16, 1939.

**OIL CONSERVATION COMMISSION**  
By (Sgd.) FRANK WORDEN,  
Commissioner of Public Lands.  
By (Sgd.) A. ANDREAS,  
State Geologist.

(SEAL) 8-19

**AFFIDAVIT OF PUBLICATION**

STATE OF NEW MEXICO, )  
COUNTY OF SAN MIGUEL ) ss.

P. B. Dailey

being first duly sworn, on oath states: That he is the (business manager) of the Las Vegas Daily Optic, a daily newspaper of general paid circulation and of general circulation in San Miguel County, New Mexico, entered under the second class postal privilege in said county, being the county in which the notice hereto attached is required to be published and said paper has been published in said San Miguel County continuously and uninterruptedly during a period of six months next prior to the first issue thereof containing said notice. That the notice of which a copy as published is hereto attached and hereby made a part hereof was published in the English language in said newspaper once ~~each week~~ one time ~~for six consecutive weeks~~ on the following dates, to-wit:

First Publication on the 19th day of August, 1939.  
Second Publication on the \_\_\_\_\_ day of \_\_\_\_\_, 1939.  
Third Publication on the \_\_\_\_\_ day of \_\_\_\_\_, 1939.  
Fourth Publication on the \_\_\_\_\_ day of \_\_\_\_\_, 1939.  
That such notice is a legal notice and was published in said newspaper duly qualified for that purpose within the meaning of the provisions of Chapter 167, Session Laws of 1937, and that payment therefor has been made—assessed as Court costs.

*P. B. Dailey*  
Business Manager

Subscribed and sworn to before me this 21st day of August, 1939.

*Louise P. Mitten*  
Notary Public.

Feb. 15, 1940

My Commission expires \_\_\_\_\_

**PUBLISHER'S BILL**

51 lines one time @ 8¢ \$ 4.08  
\_\_\_\_\_ lines @ \_\_\_\_\_ \$ \_\_\_\_\_  
Tax \_\_\_\_\_ \$ \_\_\_\_\_  
Total \_\_\_\_\_ \$ 4.08  
Received payment,  
\_\_\_\_\_  
Manager,



## Affidavit of Publication

STATE OF NEW MEXICO  
COUNTY OF SANTA FE  
CITY OF SANTA FE

ss.

I, Larry Byrnes, hereby swear  
and affirm that I am the Publisher  
of the New Mexico Examiner, a newspaper of general circulation  
in the City of Santa Fe, the County of Santa Fe, and the State of  
New Mexico, printed daily in the City of Santa Fe; that the at-

tached is a true copy of Publication  
as it appeared in the New Mexico Examiner, issues of  
Aug. 19, 1939, in a full and complete  
edition of the paper.

This newspaper is duly qualified to publish legal notices or advertisements  
within the meaning of Sec. 3, Chapter 167, Laws of 1937.

Signed: Larry Byrnes

STATE OF NEW MEXICO  
COUNTY OF SANTA FE  
CITY OF SANTA FE

ss.

Larry Byrnes appeared before me this  
21 day of Aug, 1939, known to me  
to be the person above making affidavit, and after being duly  
sworn, deposes and says that the statements above made are true  
and accurate to the best of his knowledge.

Edna W. Draper  
Notary Public in and for Santa Fe  
County, State of New Mexico.

My Commission expires: Apr 24, 1943

## Legal Notices

### NOTICE FOR PUBLICATION STATE OF NEW MEXICO OIL CONSERVATION COMMISSION

Pursuant to Chapter 72, Session  
Laws of 1935, State of New Me-  
xico, by which Act the Oil Con-  
servation Commission of New  
Mexico was created, invest-  
said Commission with the jur-  
isdiction and authority over  
matters relating to the conser-  
vation of oil and gas in this State,  
and of the enforcement of all pro-  
visions of said Act, notice is hereby  
given that a public hearing  
will be held at the Capitol, Santa  
Fe, New Mexico, on the 18th  
of September, 1939, at ten o'clock  
A. M., for the purpose of con-  
sidering the following:

Case No. 1,  
The North American  
Company, Inc.,  
the MEANER of Section 22,  
Township 12 North, Range 22  
East (San Miguel County), as  
abandoned; to withdraw casing  
therefrom and plug said well  
in accordance with the require-  
ments of the New Mexico Oil  
Conservation Commission.

Resident attorneys for petition-  
er are Atwood & Malone, Ros-  
well, New Mexico.

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

Given under the seal of said  
Commission at Santa Fe, New  
Mexico, on August 16th, 1939.

OIL CONSERVATION  
COMMISSION

By (Signed) FRANK WORDEN,  
Commissioner of Public Lands.

By (Signed) A. ANDREAS,  
(SEAL) State Geologist.

Published Aug. 19, 1939.

BEFORE THE OIL CONSERVATION COMMISSION  
STATE OF NEW MEXICO

IN THE MATTER OF THE PLUGGING  
OF A WELL FOR OIL AND GAS  
SITUATE IN THE NE $\frac{1}{4}$ NE $\frac{1}{4}$  OF SEC-  
TION 22, TOWNSHIP 12 NORTH,  
RANGE 22 EAST, N. M. P. M.,  
SAN MIGUEL COUNTY, NEW MEXICO.

No. \_\_\_\_\_

PETITION FOR CONSENT TO PLUGGING  
OF ABANDONED WELL

Comes now Iverson Tool Company, by its attorneys,  
Atwood & Malone, and respectfully states to the Commission:

1. That on or about October 1, 1932 Cabra Springs  
Oil and Gas Company, a corporation, began the drilling of  
a wild cat well for oil or gas upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section  
22, Township 12 North, Range 22 East, which well was general-  
ly known as the Cabra Springs Oil and Gas Company - North  
American Investment Company No. 1.

2. That during the period from spudding in of  
said well to about July 1, 1936 by intermittent drilling  
operations said well was drilled to a depth of approximate-  
ly 4000 feet. That subsequent to July 1, 1936 said well was  
shut down for long periods of time and since that date no  
regular or continuous drilling operations have been carried

therein. That during the fall of 1937 the drilling of said well was resumed and it was drilled approximately 200 feet. That prior to December 1, 1937 drilling operations were suspended thereon at a total depth of approximately 4250 feet.

3. That no oil or gas has been encountered in the drilling of said well. That your petitioner is informed and believes, and upon such information and belief alleges, that the drilling of said well was abandoned by the said Cabra Springs Oil and Gas Company prior to December 1, 1937, and that no work of any kind has been performed thereon since that date. That your petitioner is further informed and believes, and upon such information and belief alleges, that Cabra Springs Oil and Gas Company, which drilled and was formerly the owner of said well, is now hopelessly insolvent and is now and will be unable to continue the drilling of said well. That by reason of the matters and facts hereinafter alleged said corporation no longer owns the tools, rig, casing and other equipment used in the drilling of said well and will be unable to carry on any further operations thereon. That by reason of the foregoing facts the well above described is an abandoned well, and that its status as such should be adjudicated by this Commission and its plugging ordered as herein prayed.

4. That by reason of having furnished certain materials for use in said well, your petitioner, Iverson

Tool Company, a corporation, became entitled to a lien against the said well as provided by law and filed in the County Clerk's office in San Miguel County, New Mexico, on July 20, 1935, its claim of lien thereupon. That within the time required by law your petitioner instituted an action in the District Court of San Miguel County in foreclosure of said lien, which action was styled Iverson Tool Company, a corporation, plaintiff, vs. Hershfield Oil Development Company, a corporation, and Cabra Springs Oil and Gas Company, a corporation, defendants, same being No. 11841 on the docket of said Court. That North American Investment Company, a corporation, intervened in said foreclosure proceeding as the owner of the fee simple title to the lands upon which said well was situate and as lessor thereof for oil and gas purposes. That upon trial of said cause, a decree was entered in favor of plaintiff and as against the defendants and intervenor above named. That your petitioner is informed, and upon such information and belief alleges, that said intervenor and the defendants in said cause are the only persons in any manner interested in said well.

5. That in the final judgment rendered in said cause, the Court appointed W. G. Ogle of Las Vegas, New Mexico, special master in said cause and he was ordered, upon default in the payment of said judgment, to sell all and singular "the fixtures, machinery, tools, equipment, appli-

ances and casing now located at or in said well or used and employed in the operation thereof, wherever same may be now located, specifically including all casing which has been placed in said well in the process of the drilling thereof". That a certified copy of the Final Judgment of the Court in said cause is attached hereto, made a part hereof, and for purpose of reference marked Exhibit "A".

6. That the defendants and intervenor in said cause defaulted in the payment of the judgment granted by the Court and after giving notice as required by law, the said W. G. Ogle did on the 1st day of May, 1939, offer for sale and sell at public sale all and singular the property which is described in the certified copy of said special master's bill of sale which is attached hereto, made a part hereof, and for purpose of reference marked "Exhibit "B". That your petitioner was the highest and best bidder at said sale and was declared the purchaser of the property so sold and that thereupon said special master executed and delivered to this petitioner, after confirmation of said sale by the Court, the special master's bill of sale attached hereto.

7. That it is provided in said bill of sale that the purchaser shall have "the right to go upon the lands on which the property above described is situate

and to reduce the same to possession and to remove same therefrom and to take all necessary steps incident to obtaining the possession and removal of all of said property and the full benefits incident to the ownership thereof, all as provided by the Court in its judgment and order in said cause."

8. That by reason of the foregoing, the well above described is now owned by your petitioner insofar as may be necessary for the purpose of plugging and salvaging said well, including the casing located therein. That said well is an abandoned well and should be plugged as provided by the laws of the State of New Mexico and the regulations of the Oil Conservation Commission of New Mexico. That the right of your petitioner to go upon the lands on which the said well is situate and to take all steps which may be necessary to remove the casing from said well, including the plugging thereof, has heretofore been adjudicated by the District Court of San Miguel County and by the decree of said Court and the bill of sale issued pursuant thereto, said right is now vested in your petitioner.

9. That your petitioner is filing with the Commission simultaneously with the filing of this petition its Notice of Intention to Plug Well duly executed in triplicate, together with its bond on Form 39-B1 in the penal sum of \$5000.00 duly executed by American Employers Insurance

Company, which company is authorized as required by law to execute said bond.

WHEREFORE, your petitioner prays that the well herein described by adjudicated to be an abandoned well and that its plugging be ordered by the Commission. That the bond herewith filed be approved, together with the proposed plan of work of petitioner, and that petitioner be authorized to immediately proceed with the plugging of said well.

ATWOOD & MALONE

By

*Russ L. Malone, Jr.*  
Attorneys for Petitioner

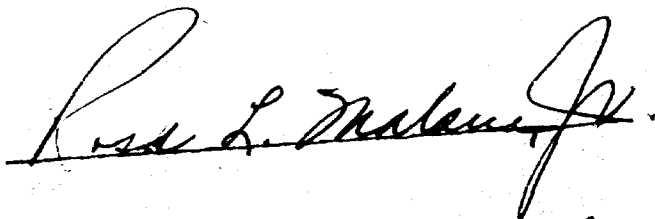
STATE OF NEW MEXICO

County of Chaves

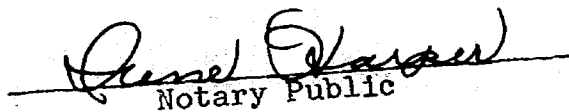
ss.

Before me, the undersigned Notary Public, personally appeared Ross L. Malone, Jr., who being first duly sworn, upon his oath deposes and states:

That he is one of the attorneys for Iverson Tool Company, a corporation, petitioner in the above and foregoing Petition for Consent to Plugging of Abandoned Well, that as such he has read the same and is familiar with the contents thereof, that the matters and facts therein alleged are true to the best of his knowledge and belief. That he makes this verification on behalf of said petitioner for the reason that it is a corporation.



SUBSCRIBED AND SWORN TO before me on this the 11<sup>th</sup>  
day of July, 1939.

  
Notary Public

My commission expires:  
April 26, 1941



EXHIBIT "A"

IN THE DISTRICT COURT OF SAN MIGUEL COUNTY  
STATE OF NEW MEXICO

IVERSON TOOL COMPANY,  
A Corporation,  
  
Plaintiff,

v.

MARSHFIELD OIL DEVELOP-  
MENT COMPANY, A Cor-  
poration, and CABRA  
SPRINGS OIL AND GAS COM-  
PANY, A Corporation,  
  
Defendants.

No. 11841

- FINAL JUDGMENT -

This cause coming on to be heard by the Court at 9:00 o'clock A. M. on February 14, 1939, having been duly and regularly set down for trial by the Court upon said date, plaintiff being present by its attorney, Ross L. Malone, Jr., the intervener, North American Investment Company, a corporation, being present by its attorneys Noble & Speiss, and the defendants, Marshfield Oil Development Company and Cabra Springs Oil and Gas Company, having failed to appear, or any person for them, or either of them, and

IT APPEARING TO THE COURT that Charles W. G. Ward, who filed an answer herein for said defendants, withdrew from this case, and that thereafter plaintiff caused a notice to be served upon each of said defendants by registered mail, as provided by Section 9-134, New Mexico Statutes

Annotated, 1929 Compilation, all of which appears from the Affidavit of Mailing on file herein, which said notice was delivered on the 21st day of October, 1938, and that said defendants, and each of them, have failed, neglected and refused to cause an attorney to enter his appearance herein on their behalf, or to make any provision for the service of notice upon them of this cause, and

IT FURTHER APPEARING TO THE COURT that notice of this hearing was given by the attorney for plaintiff to the president of the defendant Cabra Springs Oil and Gas Company as required by law, and said defendants having thereafter failed to appear it was ordered by the Court that this cause proceed ex parte on the testimony of plaintiff as between plaintiff and defendants, and

~~IT FURTHER APPEARING TO THE COURT that it has been stipulated between plaintiff and intervenor in open court that plaintiff shall have judgment as prayed for in his complaint, with the exception that the lien of plaintiff shall not be considered as affecting the title to the oil and gas leasehold estate of defendants held by them under lease from the intervenor,~~

The Court having considered the evidence and heard argument of the counsel, and being advised in the premises finds:

1. That it has jurisdiction of the parties and subject matter of this suit.
2. That plaintiff is a corporation, organized and existing under the laws of the State of Oklahoma, duly authorized

to transact business in the State of New Mexico. That the defendant Hershfield Oil Development Company is a corporation existing under the laws of the State of New Mexico, and that the defendant Cabra Springs Oil and Gas Company is a corporation duly authorized to transact business under the State of New Mexico. That the principal place of business of both of said defendants is in San Miguel County, New Mexico.

3. That the defendant Cabra Springs Oil and Gas Company is the owner of the oil and gas leasehold estate in the tract, lot or parcel of land, upon which is situated a well being drilling for oil and gas by said defendant in Section 22, Township 12 North, Range 22 East, San Miguel County, New Mexico, which well is located approximately thirty miles southeast of the City of Las Vegas, in what is known as the Cabra Springs pasture. That at all times hereinafter mentioned, and at the present time, the said Cabra Springs Oil and Gas Company has been the owner of the well for oil or gas heretofore referred to and of all equipment, casing, apparatus and supplies used in connection with such drilling operations, which said operations have heretofore been carried on by said defendant and the Hershfield Oil Development Company, defendant herein.

4. That on the 27th day of January, 1934, and thereafter at various times and on separate orders, the defendants purchased from the plaintiff, and the plaintiff furnished to the defendants at their special instance and

request, upon an open account, certain oil well drilling equipment, tools, supplies, machinery, and material to be used or employed in the digging, drilling, completing, equipping, or repairing of the oil and gas well belonging to defendants and situate upon the property hereinbefore described. That said tools, equipment, machinery and supplies were actually used in the drilling of said well. That no more than one hundred and twenty days elapsed between the date of the furnishing of any part or parts of such material, tools, equipment, machinery, or supplies, and the date upon which materials, tools, equipment, machinery, or supplies were next furnished upon said open account.

5. That the reasonable value and agreed purchase price of the material so furnished by the plaintiff to the defendants, Hershfield Oil Development Company and the Cabra Springs Oil and Gas Company, was as shown by the sworn itemized statement filed with the Clerk of this Court simultaneously with the filing of the Complaint herein, and is in the total sum of Three Thousand, Three Hundred Seventy Four and 30/100 Dollars, (\$2374.30). That subsequent to the filing of the claim of lien hereinafter referred to the defendant, Cabra Springs Oil and Gas Company returned to the plaintiff for credit upon the account of the said Cabra Springs Oil and Gas Company and Hershfield Oil Development Company certain material of the reasonable value of Five

Hundred Seventy-three and 60/100 Dollars (\$573.60), and that the defendants are entitled to credit upon said account in said sum of Five Hundred Seventy-three and 60/100 Dollars (\$573.60). That after the allowance of the credit so due, the defendants, Marshfield Oil Development Company and Cabra Springs Oil and Gas Company are jointly and severally indebted to the plaintiff, Iverson Tool Company in the principal sum of Two Thousand, Eight Hundred and 70/100 Dollars (\$2800.70).

6. That the plaintiff herein in accordance with Chapter 11 of the Session Laws of 1931 of the State of New Mexico, did within the time required by law after the furnishing of the last item of material, tools, machinery, equipment or supplies upon the open account aforesaid file for record in the office of the County Clerk of San Miguel County, New Mexico, its claim of lien, the same being filed for record at 9:00 o'clock A. M., on July 20, 1935, and thereafter duly recorded in Book 3 of the Lien Records of said County at Page 139. That said Claim of Lien so filed and recorded contains a statement of the amount claimed and the items thereof, the name and residence of the claimant, the name of the person to whom such materials, tools, machinery, equipment or supplies were furnished, together with a description of the property upon which its lien is claimed. That said claim was duly verified by Affidavit of Ross L. Malone, Jr., the agent and attorney in fact of the plaintiff.

7. That on or about the 15th day of July, 1935, the plaintiff duly executed its Power of Attorney to the said Ross L. Malone, Jr., granting unto him full power and authority to execute its Claim of Lien upon the property of the defendants herein. That said Power of Attorney was thereafter on the 17th day of October, 1935 filed for record in the office of the County Clerk of San Miguel County, New Mexico, at 9:00 o'clock A. M., and was duly recorded in Book 119 of the Miscellaneous Records of said County at Page 443. That said Power of Attorney so recorded was filed with the Clerk of this Court, simultaneously with the filing of the Complaint herein.

8. That more than one year did not elapse between the time of the filing of said Claim of Lien and the institution of this action. That excepting the credit hereinbefore referred to, in the amount of Five Hundred Seventy-three and 80/100 Dollars (\$573.80), no part of the purchase price of the materials and supplies enumerated in plaintiff's Claim of Lien, amounting to Three Thousand, Three Hundred Seventy-four and 30/100 Dollars (\$3,374.30), has been paid, and that the balance due upon the account so owing by the defendants, and each of them, to plaintiff is in the sum of Two Thousand Eight Hundred and 70/100 Dollars (\$2800.70). That plaintiff paid the sum of \$8.50 for filing and recording its Claim of Lien aforesaid. That there

is, therefore, due, owing and unpaid to the plaintiff from the defendants, Hershfield Oil Development Company and Cabra Springs Oil and Gas Company, and each of them, after allowing all just credits and off-sets, the sum of Two Thousand Eight Hundred and 70/100 Dollars (\$2800.70), with interest thereon at the rate of eight per cent (8%) per annum from the 30th day of July, 1935, until paid, and in addition the sum of \$8.50 for the recording of plaintiff's Claim of Lien, together with the sum of Three Hundred Seventy-five and No/100 Dollars (\$375.00), which the Court finds to be a reasonable attorney's fee for the foreclosure of plaintiff's lien in the District Court, which sum is hereby allowed to the plaintiff as attorney's fees, as provided by law.

9. That plaintiff has waived its Claim of Lien herein, insofar as the same affects title to the oil and gas leasehold estate of the defendants in the real estate, upon which the well heretofore referred to is situate. That plaintiff has a first and prior lien upon the oil and gas well heretofore referred to, situate upon Section 22, Township 12 North, Range 28 East, N.M.P.M., San Miguel County, New Mexico, and upon all of the fixtures, machinery, tools, equipment, appliances and casing now located at said well, or which was used or employed in the drilling and operations of said well, wherever the same may be now located, and specifically including all casing situate at said well, or which has been placed therein in the process of drilling,

which said lien is a first and prior lien thereupon as against every claim or demand of the defendants herein, and the Intervenor, North American Investment Company, or any of them.

10. That plaintiff is entitled to judgment as against the defendants herein, and each of them, in the sums heretofore found due and is entitled to have its lien upon the property of said defendants herein referred to foreclosed and the property sold at public sale, and the proceeds thereof applied to the satisfaction of said judgment as provided by law.

11. That each and every allegation contained in plaintiff's complaint is true and correct.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff, Iversen Tool Company, a corporation, do have and recover judgment of and from the defendants Hershfield Oil Development Company, a corporation, and Cabra Springs Oil and Gas Company, a corporation, in the following sums, to-wit:

a. The sum of \$2800.70, with interest thereon at the rate of 8% per annum from July 30, 1938, until paid.

b. The sum of \$8.50, which was the cost of filing plaintiff's Claim of Lien.

c. The sum of \$375.00, with interest thereon at the rate of 8% per annum from the date of this judgment until paid as attorney's fees, for the filing of said lien and the foreclosure thereof in the District Court.



IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that plaintiff's lien by reason of its Claim of Lien filed as herein set out is a first and prior lien upon the oil and gas well herein referred to situate on Section 22, Township 12 North, Range 22 East, N.M.P.M., San Miguel County, New Mexico, and upon all of the fixtures, machinery, tools, equipment, appliances and casing now located at or in said well, or which was used or employed in the drilling and operation of said well, wherever the same may be now located, specifically including all casing which has been placed in said well in the process of the drilling thereof. That plaintiff is entitled to have said lien foreclosed by the said of sale property at public auction to the highest bidder for cash as provided by law, and the proceeds therefrom applied to the satisfaction of the judgment herein granted.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that W. A. Ogilvie be, and he hereby is, appointed special master of this Court for the purpose of carrying out this decree and holding the sale of the property as herein provided for. That unless the defendants herein shall pay or cause to be paid to plaintiff the total judgment herein granted within sixty days from the entry of this decree that said Special Master shall offer for sale and sell at public sale for cash to the highest bidder all and singular the property which is subject to plaintiff's lien, as herein set forth, or so much thereof

as shall be necessary to pay the amounts found due to plaintiff, together with all costs of this action. That the special master shall cause said sale to be advertised as required by law for the sale of real estate under mortgage foreclosure.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff shall be allowed to purchase said property at the foreclosure sale without paying cash, excepting the amount necessary to defray the costs of suit and sale. That said special master after making the sale aforesaid shall report same for the confirmation of this Court and shall execute and deliver to the purchaser or purchasers of the property, upon approval of said sale, a good and sufficient bill of sale, or other instrument transferring the title thereto to such purchaser, and upon the delivery of said instrument the purchaser or purchasers shall be entitled to go upon the lands upon which said property is situate and to reduce same to possession and to take all necessary steps incident to obtaining the possession and benefits of the ownership thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the sale of said property may be made in parcels or as a whole, whichever in the opinion of the special master will result in the most advantageous sale thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that after said special master sale the defendants,

Hershfield Oil Development Company and Cabra Springs Oil and Gas Company, and the intervenor, North American Investment Company, and each of them, and all persons holding or claiming any interest in said property by, through or under said defendants, be, and they hereby are, barred and foreclosed of any equity, right or claim of lien or title or other interest in said property of whatsoever kind or character, and that said defendants and intervenor, and all persons claiming under them, from and after said sale shall be barred and estopped from ever claiming or asserting any title or interest in or lien upon said property of whatsoever kind or character.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the sale so held shall be reported to the Court for further order as to the distribution of the proceeds therefrom.

(442) Wm. S. Main  
District Judge.

STATE OF NEW MEXICO

County of Chaves

ss.

I, the undersigned Irene Harper, a Notary Public in and for Chaves County, New Mexico, do hereby certify that I have compared the foregoing copy of the Final Judgment in Cause No. 11841 in the District Court of San Miguel County, New Mexico, to the original of said instrument on file in the office of the District Clerk of San Miguel County and that said copy is in all things a full, true and correct copy of the original of said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on this the 18th day of July, 1939.

Irene Harper  
Notary Public

My commission expires:

April 26, 1941



One complete well, about  
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All of the above being located at the 12 x 12 x 12 ft. of the  
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furnishings, including the 12 x 12 x 12 ft. of the  
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To have and to hold the right to possess the lands on which the property above described  
is situated and to receive the same to possession and to receive the same to possession, and to take  
all necessary steps and actions to obtaining the possession and removal of all of said  
property and the full benefits incident to the ownership thereof, all as provided by  
the Court in its order and decree in said case.

TO HAVE AND TO HOLD all of the above described property and the rights in-  
cident thereto unto the said party of the second part, his successors and assigns forever.

IN WITNESS WHEREOF, the said party of the first part as special master has  
hereunto set his hand on this the day and year first hereinbefore written.

W. G. Ogile

Special Master.

STATE OF NEW MEXICO

SS.

COUNTY OF SAN MIGUEL

On this 1st day of May, 1939, before me personally appeared W. G. Ogile,  
Special Master, to me known to be the person described in and who executed the foregoing  
instrument and acknowledged that he executed the same as his free act and deed for the  
purposes and in the capacity therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the  
year in this certificate first above written.

My commission expires; Aug. 12, 1939.

Notary Public.

(Seal)

STATE OF NEW MEXICO

SS.

COUNTY OF SAN MIGUEL

I, R. A. Romero, County Clerk and Ex-Officio Recorder within and for the  
County and State aforesaid, do hereby certify that the above and foregoing is a true, correct  
and complete copy of BILL OF SALE No. 1012, SPECIAL ORDER in Case No. 10042 in the  
District Court of San Miguel County, New Mexico, party of the first part, and Iverson  
Tool Company, a corporation party of the second part dated 1st day of May A. D. 1939.,  
filed for record in my office on the 1st day of May A. D. 1939, as instrument  
Number 6360 and duly recorded in Book 124 of Misc., at pages 455-6.

Witness my hand and seal of office this 22nd day of June A. D. 1939.

*R. A. Romero* CLERK  
BY *Fred W. Widenstein* DEPUTY