

Case No.

328

Application, Transcript,
Small Exhibits, Etc.

BEFORE THE
OIL CONSERVATION COMMISSION
STATE OF NEW MEXICO

TRANSCRIPT OF HEARING
Case No. 328

November 20, 1951

E. E. GREESON
ADA DEARNLEY
COURT REPORTERS
BOX 1303
PHONES 5-9422 AND 5-9546
ALBUQUERQUE, NEW MEXICO

BEFORE THE
OIL CONSERVATION COMMISSION
STATE OF NEW MEXICO

In Re:

In the Matter of a case concerned)
with the Al Parker State No. 1 well,)
NW SE 15-23S-5E, Dona Ana County, to)
determine why it should not be ordered)
abandoned and plugged.)

Case No. 328

TRANSCRIPT OF HEARING

November 20, 1951

ADA DEARNLEY, COURT REPORTER

CHAIRMAN SPURRIER: This is Case 328. Mr. Kellahin, will you read the notice of publication? (Mr. Kellahin reads the notice of publication.)

MR. KELLAHIN: I will call Mr. Justin Newman.

Justin Newman, having been first duly sworn, testified as follows.

DIRECT EXAMINATION

By Mr. Kellahin.

Q State your name for the record, please.

A Justin Newman, Oil and Gas Inspector for District Two, including Dona Ana County.

Q In your capacity as Oil and Gas Inspector, have you made an inspection of the well involved in Case 328?

A Yes, I visited the well on October 8th.

Q Did you find that well at that time to have been plugged?

A That well was not plugged.

Q Would you state the conditions that you found at the time of your visit?

A The well was capped with a cement cap and the pits were not filled, and there was junk scattered over two acres, including cables to the storage tanks. There was a water well there which was drilled to obtain water for the drilling operation and that well was not plugged either.

Q You say that well was not plugged either.

A It was not plugged either.

Q Were there fences around the pits?

A No, there were not.

Q There is water supply there that is in need of protection?

A There is a water supply there that is definitely in need of protection. There is a fairly prolific water supply.

Q What is your recommendation as to what should be done?

A I would recommend that the well be plugged immediately.

Q Have you in connection with this case, you found that this well is located inside the White Sands Proving Grounds area?

A That is right. It is inside the White Sands Proving Ground area.

Q Did you contact the officials of the White Sands Proving Ground?

A Yes, I contacted General Eddy there, and he authorized, he said that any time the well was authorized plugged that they could let the necessary men and equipment in to this particular well site to plug it.

(Marked Exhibit Number One, Case 328.)

Q I hand you a letter marked Commission's Exhibit Number One.

A This is a letter from the Intelligence and Security Division of White Sands Proving Ground written by Major R. M. Clark, in which he says permission has been granted

by the Commanding General for a drilling crew to operate on White Sands Reservation for a period of time necessary to complete the plugging of the oil well. Mr. Kellahin, I would like to enter that letter in the record.

CHAIRMAN SPURRIER: It will be admitted.

Q Is there anything you care to add, Mr. Newman.

A I should like to add that I visited Mr. Parker in El Paso on October 9th and several extenuating circumstances caused him not to plug the well any sooner. I would think that the Commission wouldn't have any prejudice against Mr. Parker for not plugging the well any sooner.

Q Because of the difficulty of it being within the Proving Grounds area?

A Yes.

Q That is all. Are there any questions of Mr. Newman?

Mr. Guthman: I would like to make a statement for the record.

CHAIRMAN SPURRIER: Mr. Guthman.

MR. GUTHMAN: On April 3, 1945 the United States Government filed a petition in condemnation 834, United States District Court for District of New Mexico, seeking to condemn the land involved in the hearing for the term. On October 16, 1946 the government filed a petition in condemnation in the United States District Court for the District of New Mexico, the same being Cause Number 1149, whereby they sought to condemn the land involved in this

hearing in fee. That case was finally determined and the United States now has fee simple title to the land. A bill was introduced in the 81st Congress, seeking to confer jurisdiction upon the United States District Court for the District of New Mexico whereby Al Parker could sue the United States Government under the Federal Court Claims Act for damages sustained by him for the wrongful action of military personnel. That bill did not pass the 81st Congress and a new bill was introduced in the 82nd Congress. The bill in the 82nd Congress passed and was approved by the President on May 18, 1951, conferring jurisdiction upon the United States District Court for the District of New Mexico whereby Mr. Al Parker could bring a suit under the Federal Court Claims and for damages sustained by him for wrongful action of the military personnel. With regard to the water well located in this area, the same is sold to Mr. J. W. Cox of Las Cruces, New Mexico, by Al Parker and in view of the statement herein made we are of the opinion that the United States Army should be responsible for plugging it or both of these wells.

MR. WHITE: Is it your position then that Mr. Parker will not plug either well?

MR. GUTHMAN: No, it is not our position he will not plug it. It is our position that he should not be responsible, but if he is ordered by the Commission he will comply

with the order.

MR. KELLAHIN: I would like to inquire if the bonding company is represented.

MR. GUTHMAN: So far as I know they are not.

MR. KELLAHIN: That is all, thank you.

CHAIRMAN SPURRIER: No further questions or comment?
The case will be taken under advisement. We will proceed to Case 323.

1931.

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss

I HEREBY CERTIFY that the foregoing and attached Transcript of Proceedings in Case No. 328, before the Oil Conservation Commission, taken on November 20, 1951, is a true and correct record of the same to the best of my knowledge, skill and ability.

DATED at Albuquerque, New Mexico 5th of Dec.,
1951.

Ada Dearnley
REPORTER

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

EL PASO
FEB 3
2 34 AM
1952
TEXAS

POSTMARK OF DELIVERING OFFICE

Return to *Oil Corp*
(NAME OF SENDER)

Street and Number,
or Post Office Box, *Box 871*

REGISTERED ARTICLE
7551

INSURED PARCEL

SANTA FE,
NEW MEXICO.

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

ANTHONY
FEB 3
1952
NEW MEXICO

POSTMARK OF DELIVERING OFFICE

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REGISTERED ARTICLE
7550

INSURED PARCEL

SANTA FE,
NEW MEXICO.

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

EL PASO
FEB 2
8 PM
1952
TEXAS

POSTMARK OF DELIVERING OFFICE

Return to *Oil Corp*
(NAME OF SENDER)

Street and Number,
or Post Office Box, *Box 871*

REGISTERED ARTICLE
7552

INSURED PARCEL

SANTA FE,
NEW MEXICO.

Form 8811
Rev. 1-4-40

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1. Michael J. O'Hara
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2. Michael J. O'Hara
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery FEB 1 1952



U. S. GOVERNMENT PRINTING OFFICE

Form 8811
Rev. 1-4-40

RETURN RECEIPT

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Date of delivery FEB 1 1952, 19

U. S. GOVERNMENT PRINTING OFFICE 16-13421

Form 8811
Rev. 1-4-40

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1. Al Parker
(Signature or name of addressee)

2. Al Parker
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery FEB 1 1952, 19

U. S. GOVERNMENT PRINTING OFFICE 16-13421

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. 323
ORDER NO. R-126

THE APPLICATION OF THE OIL CONSERVATION
COMMISSION OF NEW MEXICO, UPON ITS OWN
MOTION, FOR AN ORDER DIRECTED TO AL PARKER
AND THE MARYLAND CASUALTY COMPANY, DECLAR-
ING THE AL PARKER STATE NO. 1 WELL, NW/4 SE/4
SECTION 15, TOWNSHIP 23S., RANGE 5E., NMPM,
DONA ANA COUNTY, NEW MEXICO, ABANDONED,
AND ORDERING IT PLUGGED.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 10 a. m. November 20, 1951, at Santa Fe, New Mexico, before the Oil Conservation Commission of New Mexico, hereinafter referred to as the "Commission," all members being present.

NOW, on this 8th day of January, 1952, the Commission, a quorum being present, having considered the testimony adduced and the exhibits received at said hearing, and being fully advised in the premises,

FINDS: (1) That due notice having been given by publication and by registered mail, and Al Parker having appeared personally and by counsel, the Commission has jurisdiction of this cause, and the persons and subject matter thereof.

(2) That inspection of the location of the Al Parker State No. 1 well, NW/4 SE/4 Section 15, Township 23 South, Range 5 East, NMPM, Dona Ana County, New Mexico, by a representative of the Commission discloses that the well bore, as of October 1, 1951, has not been plugged, nor had said well been plugged at the date of this hearing; that the premises and pits show long abandonment; and for the prevention of underground waste, pollution of potable water, and location cleanup, the well bore should be plugged as required by the Rules and Regulations of the Commission.

(3) That while said well bore is located within the boundaries of a government reservation, into which entrance is restricted, permission of government authorities will be granted to any interested person to enter said reservation and remain for such time as is necessary to plug said well in accordance with the Rules and Regulations of the Commission.

IT IS THEREFORE ORDERED:

(1) That Al Parker, Maryland Casualty Company, c/o Charles F. O'Hara, Anthony, New Mexico, resident agent, and all persons claiming any right, title or interest in or to that certain well bore located upon NW/4 SE/4 Section 15, Township 23 South, Range 5 East, NMPM, Dona Ana County, New Mexico, are hereby declared to be in default in complying with the Rules

Case No. 328
Order No. R-126

and Regulations of this Commission governing abandonment and plugging of abandoned wells.

(2) That said well bore upon NW/4 SE/4 Section 15, Township 23 South, Range 5 East, NMPM, Dona Ana County, New Mexico, is hereby declared abandoned and ordered plugged in accordance with the Rules and Regulations of the Commission, provided, however, that Al Parker, or any person claiming any right, title or interest in or to said well bore may have thirty (30) days from the date of this order within which to retrieve recoverable material from said well bore, if any there be, casing excepted and to properly plug said well bore in accordance with the Rules and Regulations of this Commission, and to clean up the premises; failure hereunder within the time specified herein shall require the calling upon the surety company, Maryland Casualty Company of Maryland, c/o Charles F. O'Hara, Anthony, New Mexico, resident agent, to, at its own expense, immediately plug said well bore in compliance with the Rules and Regulations of this Commission.

DONE at Santa Fe, New Mexico, the day and year hereinabove written.

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

Edwin L. Mechem

EDWIN L. MECHEM, Chairman

Guy Shepard

GUY SHEPARD, Member

R. R. Spurrer

R. R. SPURRIER, Secretary

SEAL

Lew

OIL CONSERVATION COMMISSION

P. O. BOX 871
SANTA FE, NEW MEXICO

January 30, 1952

Because of delay in circulation of accompanying order, 30-day term may be considered as being effective from date of receipt of this letter i.e., the Commission will attempt no enforcement until after March 1, 1952.

C
O
P
Y

Mr. Al Parker
1717 North Stanton
El Paso, Texas

Dear Mr. Parker:

RE: OCO Case No. 328

We enclose an official copy of Oil Conservation Order P-126 issued in relation to the captioned Case No. 328, which was concerned with the plugging of your Al Parker State No. 1 well, NW SE Section 15, Township 23 South, Range 5 East, NMPM, Dona Ana County, New Mexico.

You will note that date of this order is January 8, 1952, and that the 30-day limit given you for plugging and for the retrieving of any recoverable material extends from said date.

Will you please advise the Commission as to your plans for plugging? It is customary for a representative of the Commission either to witness the plugging of a well, or to make thorough inspection as soon as the plugging has been completed in order that we may be assured that the operator has complied with regulations of this Commission. Approval of the field inspector must be shown to permit acceptance of the C-103 form filed describing plugging procedures.

Very truly yours,

R. R. Spurrier
R. R. Spurrier
Secretary - Director,
OIL CONSERVATION COMMISSION

RRS:mr

VIA REGISTERED MAIL

cc: Maryland Casualty Co.
Attention: Mr. Victor Robinson
710 El Paso National Bank Bldg.
El Paso, Texas

Maryland Casualty Co., c/o Chas. O'Hara
Anthony, N. M.

MARYLAND CASUALTY COMPANY

STEWART McDONALD, CHAIRMAN OF THE BOARD
WILLIAM T. HARPER, PRESIDENT

EL PASO CLAIM DIVISION

C. W. L. STEEN, JR., MANAGER
506 EL PASO NAT'L BANK BLDG., EL PASO, TEXAS

Case 328

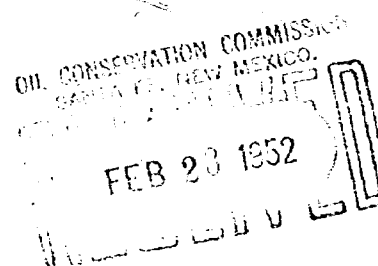
C
O
P
Y

February 26, 1952

REGISTERED MAIL - RETURN RECEIPT REQUESTED

235-49 Cont.
47-32 Bond
State of New Mexico
Al Parker

Mr. Al Parker
1717 North Stanton Street
El Paso, Texas



Dear Sir:

You have heretofore received by registered mail letter from the New Mexico Oil Conservation Commission of 1-9-52 with which was enclosed an official copy of the Oil Conservation Order No. R-126 issued in connection with their case No. 328 as respects plugging of your Al Parker State No. 1 Well, NW SE Section 15, Township 23 South, Range 5 East, NMPM, Dona Ana County, New Mexico, and declaring such site to be abandoned.

The order of the Commission instructs that this site be plugged and cleaned up in accordance with directions and established procedure of the Oil Conservation Commission, following which the lease will be terminated and your liability, and our liability as surety, will be terminated. The thirty day term following issuance of the Commission order will expire as of March 1, 1952.

Following publication of the above described order of the Oil Conservation Commission, our representatives have made numerous attempts to contact you personally without results. Further, we have, under date of 2-13-52, written you by registered mail, requesting that you contact us, which letter, although received, has been ignored. Further, we have communicated with your attorney, Mr. H. L. McCune, Jr., who advises that he has not been able to talk to you either and that so far as he knows your failure to take any action upon the Commission order is based upon a plea that the United States Army will not let you on the reservation to conduct plugging operations of the well in question.

We are informed definitely, as is indicated by the Commission order, that the governmental authorities will permit authorized persons to enter the military reservation for the purpose of carrying out the Commission order and we are consequently at a complete loss to understand your plea that this is the only thing holding up your carrying out of the order.

February 26, 1952

We respectfully again direct your attention to the Oil Conservation Commission order No. R-126 and advise that if by reason of your failure to undertake the plugging and clean up work within the specified time, thereby requiring the calling upon us to do so by the Commission as surety on your bond to the State of New Mexico, that we shall look to you to save us harmless from all loss, cost and expense in accordance with your application for bond.

Kindly inform both this office and the Oil Conservation Commission immediately of the time and method or plan to be followed in the plugging and clean up work to be carried out under supervision of the Commission inspectors in compliance with the above described order No. R-126.

Very truly yours,

O. W. L. Steen, Jr.,
Manager

OWLS/gw
Dictated: 2-26-52

cc: Mr. H. L. McCune, Jr., Attorney
El Paso National Bank Building
El Paso, Texas

cc: Oil Conservation Commission ✓
State of New Mexico
Box 871
Santa Fe, New Mexico

Re: OOO Case No. 328

cc: Claim Division - Surety Department

RS
WYM

MARYLAND CASUALTY COMPANY

STEWART McDONALD, CHAIRMAN OF THE BOARD
WILLIAM T. HARPER, PRESIDENT

Wait for C-103

EL PASO CLAIM DIVISION

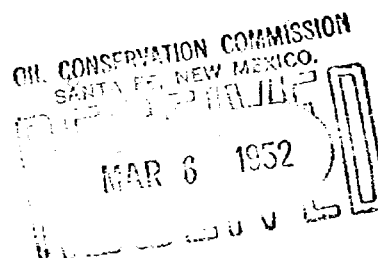
C. W. L. STEEN, JR., MANAGER
710-12 EL PASO NAT'L BANK BLDG., EL PASO, TEXAS

March 4, 1952

235-49 Cont.
47-82 Bond
State of New Mexico
Al Parker

Mr. R. R. Spurrier
Secretary-Director
Oil Conservation Commission
State of New Mexico
Santa Fe, New Mexico

Re: OCC Case No. 328



Dear Mr. Spurrier:

Yesterday I had a telephone call from Mr. Al Parker, in which he advised that during the latter part of last week he complied with the order of the Oil Conservation Commission dated January 8, 1952 and I am told that the plugging is now completed in accordance with your field representative's instructions. I am assured that forms Nos. C-102 and C-103 have been prepared and filed with you and that form C-103 is in process of preparation and will reach you this week.

Will you please do me the favor of confirming the correctness of the information given by Mr. Parker and if the matter has been attended to properly so far as your department is concerned the favor will be appreciated if you will facilitate the letter releasing the surety upon filing an approval of form C-103.

Thanking you for your cooperation.

Very truly yours,

[Signature]
C. W. L. Steen, Jr.,
Manager

DWLS/gw

Dictated: 3-4-52

cc: Claim Division - Surety Department

OIL CONSERVATION COMMISSION

P. O. BOX 871
SANTA FE, NEW MEXICO

March 13, 1952

C
O
P
Y

Mr. Al Parker
1717 North Stanton
El Paso, Texas

Dear Mr. Parker:

RE: Oil Case 328, Order R-126

The Oil Conservation Commission has received Form C-103 dated March 3, 1952, delineating manner in which your Parker-State No. 1 well, NW SE 15-233-28, Dona Ana County, has been plugged, as requested by the Commission in its Order R-126.

Mr. L. A. Hanson, oil and gas inspector, District 2, has checked the location and approved the plugging as being in conformity with Commission requirements. It is therefore in order for the Commission to approve release of the following plugging bond:

Al Parker, \$5,000.00 one-well bond;
NW SE 15-233-28, Maryland Casualty Co.

The bond may be considered eligible for cancellation, then, as of March 3, 1952. A copy of this letter is being sent to Maryland Casualty Company, which was also named in the order, in order that the company may be apprised of the fact that you have complied with terms of the order, and that Case 328 is being closed.

Very truly yours,

R. R. Spurrier
Secretary - Director

RRS:nf

cc: Mr. C. W. L. Steen, Jr.
Maryland Casualty Company
710 El Paso National Bank Bldg.
EL PASO, TEXAS

OIL CONSERVATION COMMISSION

P. O. BOX 871
SANTA FE, NEW MEXICO

April 17, 1952

C
O
P
Y

Mr. C. W. L. Steen, Jr.
Maryland Casualty Company
710 El Paso National Bank Bldg.
EL PASO, TEXAS

Dear Sir:

RE: OCC Case 328 - Al Parker bond

We refer to your letter of April 14, 1952, and advise that the March 13 letter to the principal, Mr. Al Parker, was the Commission's termination of its records on the above captioned case and on the bond as well, inasmuch as Mr. Parker plugged the well in question.

No more formal termination will be issued, and you may consider your copy of that letter as your own verification of the termination.

Very truly yours,

R. R. Spurrier
Secretary - Director

RRS:mr

MARYLAND CASUALTY COMPANY

STEWART McDONALD, CHAIRMAN OF THE BOARD
WILLIAM T. HARPER, PRESIDENT

EL PASO CLAIM DIVISION

C. W. L. STEEN, JR., MANAGER
710-12 EL PASO NAT'L BANK BLDG., EL PASO, TEXAS

April 14, 1952

47-82 Bond
235-49 Cont.
State of New Mexico
Al Parker

Mr. R. R. Spurrier, Secretary-Director
Oil Conservation Commission
State of New Mexico
Santa Fe, New Mexico

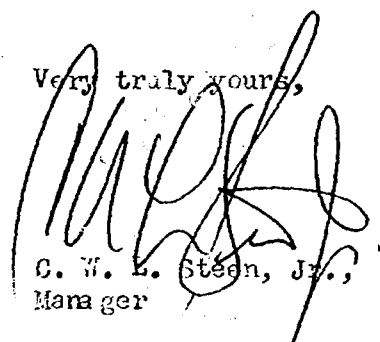
Re: OCC Case No. 328

Dear Mr. Spurrier:

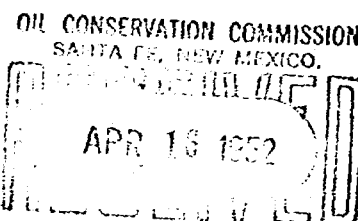
I received my carbon copy of your March 13 letter to Mr. Al Parker in which, closing paragraph, you stated that our bond may now be considered eligible for cancellation as of March 3.

To this writing, I have not received formal notification from your office that the bond is terminated as of the date mentioned and I do not know that it is your intent to issue such a formal notice. If it is not and your letter of March 13 can be taken to be the Commission's release of the principal and the surety on the bond in question, then if you will do me the favor of so advising we will be able to close out our records on this case.

Very truly yours,


C. W. L. Steen, Jr.,
Manager

CWLS/gr
Dictated: 4-13-52
cc: Claim Division - Surety Department



Post Office Department
OFFICIAL BUSINESS

CONSERVATION COMMISSION Case 328
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$200 (RPO)

NOV 7 1951

POSTMARK OF DELIVERING OFFICE

Return to *Oil Conservation Comm*
(NAME OF SENDER)
Box 871

Street and Number,
or Post Office Box,
REGISTERED ARTICLE
4210
INSURED PARCEL

**SANTA FE,
NEW MEXICO.**

Post Office Department
OFFICIAL BUSINESS

Case 328
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$200 (RPO)

NOV 10 1951

POSTMARK OF DELIVERING OFFICE

Return to *Oil Conservation Comm*
(NAME OF SENDER)
Box 871

Street and Number,
or Post Office Box,
REGISTERED ARTICLE
4211
INSURED PARCEL

**SANTA FE,
NEW MEXICO.**

Post Office Department
OFFICIAL BUSINESS

Case 328
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$200 (RPO)

NOV 6 9 AM 1951
ANTHONY, N.M.

Return to *Oil Conservation Comm*
(NAME OF SENDER)
Box 871

Street and Number,
or Post Office Box,
REGISTERED ARTICLE
4212
INSURED PARCEL

**SANTA FE,
NEW MEXICO.**

Form 2811
Rev. 1-4-40

Case 325

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1. Maryland Casarely
(Signature of name of addressee)

2. H. C. C. C.
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery NOV 5, 1951

U. S. GOVERNMENT PRINTING OFFICE 16-15421-1

Form 2811
Rev. 1-4-40

Case 326

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1. Mrs. Al Parker
(Signature of name of addressee)

2. Mrs. Al Parker
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery NOV 7 1951, 1951

U. S. GOVERNMENT PRINTING OFFICE 16-15421-1

826 6770 000

Form 2811
Rev. 1-4-40

Case 328

RETURN RECEIPT

OIL CONSERVATION COMMISSION

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1. Maryland Casarely Co
(Signature of name of addressee)

2. Chas. F. C. C.
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 11/6, 1951

U. S. GOVERNMENT PRINTING OFFICE 16-15421-1

INTER-OFFICE TRANSMITTAL SLIP

TO R.P.S.

FROM J.K.

- ☐ For Approval
- ☐ For Signature
- ☒ Note and Advise
- ☐ Note and Return
- ☐ For Your Files
- ☐ For Your Handling

Remarks:

*Do you want to order a hang
to dealer this will be done & order it
plugged? yes*

SUNDAY

JANUARY						
S	M	T	W	T	F	S
1	2	3	4	5	6	
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

11

FEB. 1951

MARCH						
S	M	T	W	T	F	S
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4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

APPOINTMENTS

- 9 A.M. _____
- 9:30 A.M. _____
- 10 A.M. _____
- 10:30 A.M. _____
- 11 A.M. _____
- 11:30 A.M. _____
- 12 noon _____
- 1 P.M. _____
- 1:30 P.M. _____
- 2 P.M. _____
- 2:30 P.M. _____
- 3 P.M. _____
- 3:30 P.M. _____
- 4 P.M. *(5:00 PM)* _____
- 4:30 P.M. _____
- 5 P.M. _____
- Evening _____

New Mexico
OIL CONSERVATION COMMISSION

GOVERNOR EDWIN L. MECHEM
CHAIRMAN
LAND COMMISSIONER GUY SHEPARD
MEMBER
STATE GEOLOGIST R. R. SPURRIER
SECRETARY AND DIRECTOR



ROOM 205, BOOKER BUILDING

Artesia, New Mexico

Nov. 13, 1951

Case 328

Mr. Jason Kellahin,
Oil Conservation Commission,
Box 871,
Santa Fe, New Mexico

Dear Mr. Kellahin:

In regard to the hearing Nov. 20th, will you please have the letter, which Major Clark of the White Sands Proving Ground wrote to me, at the hearing. I have a copy of this letter in my files, but we should present the original to the Commission.

*-(Parker
Hall)*

Very truly yours,

Justin Newman
Justin Newman

JPN/lp

OIL CONSERVATION COMMISSION
SANTA FE, NEW MEXICO.

NOV 15 1951

STATE OF NEW MEXICO
OFFICE OF STATE GEOLOGIST
SANTA FE, NEW MEXICO

November 6, 1951

C
O
P
Y

Mr. Justin Newman
Oil Conservation Commission
205 Booker Building
Artesia, New Mexico

Dear Justin:

This is just a reminder that the Al Parker case, which is concerned with his State Well No. 1, NW SE 15-238-5E, has been set up for hearing November 20 as Case No. 328. This hearing will determine why the well should not be ordered plugged and abandoned, and copies of the notice of publication have been sent to Mr. Parker and to representatives of the surety company, the Maryland Casualty Company.

We will appreciate it if you will be prepared to testify in this case, submitting the facts and observations derived from your inspection trips and contacts with the operator. I will be glad to go over this case with you before the hearing.

Sincerely,

Jason Kellahin, Attorney

JK:mf

INTELLIGENCE AND SECURITY DIVISION
WHITE SANDS PROVING GROUND
Las Cruces, New Mexico

RECEIVED
OCT 26 1951
Oil Cons. Comm.
Artesia, N.M.
October 23, 1951

ORDBS-INT 680.4

New Mexico Oil Conservation Commission
Room 205, Booker Bldg
Artesia, New Mexico

Attention: Mr Justin Newman
Oil & Gas Inspector

Gentlemen:

Your letter of October 15, 1951, addressed to the Commanding General, White Sands Proving Ground, has been referred to this office.

Permission has been granted by the Commanding General for a drilling crew to operate on the White Sands Reservation for a period of time necessary to complete the plugging of the oil well.

Please notify this office as to the date of arrival of the drilling crew.



R. N. CLARK
Major, MPC
Intelligence & Security Officer

#1
Case 328

New Mexico
OIL CONSERVATION COMMISSION

GOVERNOR EDWIN L. MECHEM
CHAIRMAN
LAND COMMISSIONER GUY SHEPARD
MEMBER
STATE GEOLOGIST R. R. SPURRIER
SECRETARY AND DIRECTOR



ROOM 205, BOOKER BUILDING

Alameda, New Mexico

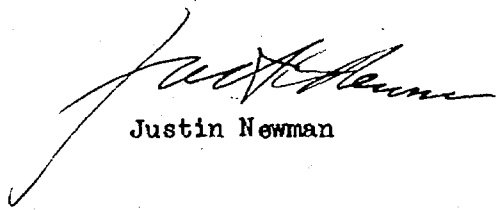
Oct. 26, 1951

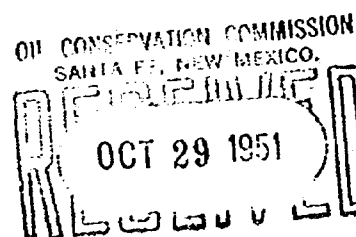
Mr. Jason Kellahin,
Oil Conservation Commission,
Box 871,
Santa Fe, New Mexico

Dear Mr. Kellahin:

I am enclosing a letter I received
from Major Clark this morning.

This is in regard to the Al Parker
well in Section 15-23S-5E., Dona Ana County.


Justin Newman



STATE OF NEW MEXICO
OFFICE OF STATE GEOLOGIST
SANTA FE, NEW MEXICO

October 26, 1951

C
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Mr. Victor Robinson
El Paso Claim Division,
MARYLAND CASUALTY COMPANY
710 El Paso National Bank Bldg.
El Paso, Texas

Dear Sir: RE: Al Parker, \$5,000.00 one-well bond;
NW SE 15-238-38; Maryland Casualty Co.

Reference is made to your letter of October 16, 1951, on
the above-captioned location.

Our oil and gas inspector at Artesia, Mr. Justin Newman,
has inspected the location, and I quote directly from his
report of October 15:

"On a recent field trip, I went to the Al
Parker well in Section 15-238-38, Dona Ana
County. This well has not been plugged. There
are two junked 500 barrel tanks, a water well
which has not been plugged, and a great deal of
junk around the well.

"I went on to El Paso to visit Mr. Parker and
his attorney, Mr. H. L. McGune II. Mr. Parker
said he does not intend to plug the well. He said
that the President had signed a bill, passed by
the 82nd Congress, to give him about \$62,000.00
for the well and acreage. When Judge Hatch signs
the bill, he expects to be paid, but he still does
not intend to plug the well."

This is quoted for your information and consideration.

Very truly yours,

JKinr

Jason Kellahin, Attorney

cc: Mr. Justin Newman
F

New Mexico
OIL CONSERVATION COMMISSION

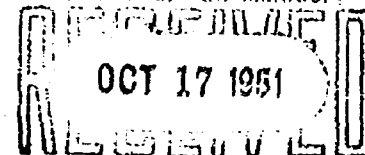
GOVERNOR EDWIN L. MECHEM
CHAIRMAN
LAND COMMISSIONER GUY SHEPARD
MEMBER
STATE GEOLOGIST R. R. SPURRIER
SECRETARY AND DIRECTOR



ROOM 205, BOOKER BUILDING
Artesia, New Mexico

Oct. 15, 1951

OIL CONSERVATION COMMISSION
SANTA FE, NEW MEXICO.



*Jason - see Case 267
Transcript - Hadden - (see Parker?)
(S)*

Mr. Jason Kellahin, Att'y.,
Oil Conservation Commission,
Box 871,
Santa Fe, New Mexico

Dear Mr. Kellahin:

On a recent field trip, I went to the Al Parker well in Section 15-23S-5E., Dona Ana, County. This well has not been plugged. There are two junked 500 barrel tanks, a water well which has not been plugged, and a great deal of junk around the well.

I went on to El Paso to visit Mr. Parker and his attorney, Mr. H. L. McCune, II. Mr. Parker said he does not intend to plug the well. He said that the President had signed a bill, passed by the 82nd Congress, to give him about \$62,000.00 for the well and acreage. When Judge Hatch signs the bill, he expects to be paid, but he still does not intend to plug the well.

If we had a hearing on this within the next 40 days, I should think he might plug it. I feel sure that if we directed the bonding company to plug it he would do it rather than loose his credit rating.

Mr. Parker's address is 1717 N. Stanton,
El Paso, Texas.

Very truly yours,

OIL CONSERVATION COMMISSION

BY

Justin Newman
Justin Newman
Oil & Gas Inspector

JPN/lp

~~cc: Mr. Wm. B. Darden, Atty.,
Las Cruces, N.M.~~

not interested in Parker well

MARYLAND CASUALTY COMPANY

STEWART McDONALD, CHAIRMAN OF THE BOARD
WILLIAM T. HARPER, PRESIDENT

EL PASO CLAIM DIVISION

C. W. L. STEEN, JR., MANAGER
710-12 EL PASO NAT'L BANK BLDG., EL PASO, TEXAS

October 16, 1951

47-82 Bond
State of New Mexico
Al Parker

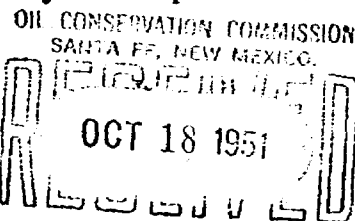
Mr. Jason Kellahin, Attorney
New Mexico Oil Conservation Commission
P. O. Box 871
Santa Fe, New Mexico

Dear Mr. Kellahin:

This is with reference to your letter of September 27 addressed to Mr. Samuel Smith, Adjuster, who has recently left our employ, and which relates to the well located NW SE 15-23S-5E.

We should appreciate your advices as to whether the well has yet been inspected by Mr. Justin Newman, of Artesia, and if so it will be much appreciated if you will be good enough to furnish us with a copy of Mr. Newman's report thereon.

Thanking you for your cooperation.



Very truly yours,



Victor Robinson,
Supervisor

VR/gw
Dictated: 10-16-51

JASON:

HERE IS THE AL PARKER FILE, IN CASE YOU NEED IT FOR CURRENT DEVELOPMENTS.....

NR

OIL CONSERVATION COMMISSION
SANTA FE, NEW MEXICO

September 27, 1951

Mr. Samuel Smith, Adjuster
Maryland Casualty Company
El Paso Claim Division
710 El Paso National Bank Building
El Paso, Texas

Dear Mr. Smith:

RE: Al Parker, \$5,000.00 one-well bond;
NW SE 15-23S-3E; Maryland Casualty Co.

In answer to your letter of September 17, we would like to call your attention to the fact that the well referred to in the enclosed newspaper article is located 28 miles southeast of the well in question. According to our records, the Al Parker well covered by your bond has not been plugged. We are having our oil and gas inspector, Mr. Justin Newman of Artesia, make a further check on the well to determine if it has in fact been plugged.

In order to secure a release on this bond, it will be necessary for Mr. Parker to file a Form O-105 (Well Record), a Form O-102 (Notice of Intention to Plug), and a O-103 (Report on Result of Plugging of Well) with our Artesia office. Until this has been done and the well plugged to the satisfaction of our inspector, the bond cannot be released.

Yours very truly,

Jason Kellahin, Attorney

JK:nr

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MARYLAND CASUALTY COMPANY

STEWART McDONALD, CHAIRMAN OF THE BOARD
WILLIAM T. HARPER, PRESIDENT

EL PASO CLAIM DIVISION

C. W. L. STEEN, JR., MANAGER
710-12 EL PASO NAT'L BANK BLDG., EL PASO, TEXAS

September 17, 1951

Mr. Jason Kellahin, Attorney
New Mexico Oil Conservation Commission
P. O. Box 871
Santa Fe, New Mexico

Re: Al Parker, \$5,000.00 one-well bond; NW SE
15-23S-5E; Maryland Casualty Co.; approved 4-18-44


Dear Sir:

This will acknowledge receipt of your letter of September 12, for which we thank you.

Although it may not have been brought to the attention of the Commission, the well in question has been plugged for several years. I hope that this letter will constitute notice to the Commission and that if anything can be done by this writer to effectuate our release on this bond, you will notify me.

In order for you to have a clear picture of the various facts surrounding this well, a copy of an article which appeared in the El Paso Times about June of 1950 is enclosed and a copy of the letter which we received from the Corps of Engineers, U. S. Army.

Very truly yours,


Samuel Smith,
Adjuster

SS/gw
Dictated: 9-17-51

OIL PRODUCTION BLOCKED BY ARMY, DRILLER CHARGES

By Dale Cockerill

Al Parker, El Paso oil and water well driller, charged Monday that the Army was blocking production of oil in the Newman area.

Parker, owner of the Mesialla Valley Drilling Co., 1717 North Stanton Street, said that after completing a well in the Newman area, he had been forced out by Fort Bliss authorities who filed condemnation proceedings to acquire the land as a firing range addition. The action was filed with U. S. District Judge Carl Hatch in Albuquerque, N. M.

The well was spudded in on June 20, 1949, on Section 23, Township 25 South, Range 8 East, in Otero County, New Mexico, about 35 miles northwest of El Paso.

"All the time we were drilling the well the Army didn't say a word, although they were out there every day," Parker said, "But shortly after a Lane Radioactivity Log taken on Sept. 13 gave a favorable report on the well, the Fort Bliss provost marshal forced my crew out on the grounds the land was condemned for a firing range."

Parker said that on Sept. 27 he received permission from Major Gen. John L. Homer, commanding general of Fort Bliss, to obtain passes for his men so the well, located on the southwest quarter of the section, could be completed.

The permission, however, was rescinded two days later by General Homer, Parker said. General Homer ruled he was not "competent to authorize continuation of operations of any nature" in the area. General Homer said that all drilling operations were "subjects for determination" by an order from the court of Judge Hatch.

Parker said his attorney, H. L. McCune, Jr., had such a request for determination pending in the New Mexico Court.

El Paso driller said production was indicated after he was granted 15 days by Judge Hatch on April 3 to complete the well.

HIGH GRAVITY OIL

"I knew I could tell whether or not it would be a possible field in that time," Parker said. "On the 18th of April, when the Army ran us off again, we had our bailer hanging up with oil dripping off it."

Fort Bliss authorities Monday night had no comment to make when questioned regarding Parker's charges.

Samples of oil taken from the well indicated a high gravity oil - testing up to 38 per cent - with high gasoline content, according to Parker.

Depth of the well, which now is plugged, is 676 feet. Pennsylvania lime was encountered at 470 feet, Parker said, showing good porosity from 490 to 600 feet with a variation of 10 to 20 per cent oil saturation. The oil man said there was practically 95 feet of pay strata.

"A shallow well such as this is attractive because even a 20-barrel well will pay for itself in a year due to the low cost of drilling. The State Land Commission of New Mexico will allow 42 barrels per day to be extracted in a well of this depth," Parker said.

Parker estimated that about 200 El Pasoans hold leases in the Newman area, totaling some 30,000 acres. Others interested in the Parker well, known as the Page A-1, and other leases include Tom Hayfield, Jr., John Christie and Dr. Leon Halsted.

CORPS OF ENGINEERS, U. S. ARMY
OFFICE OF THE DISTRICT ENGINEER
ALBUQUERQUE DISTRICT
P. O. Box 1538
Albuquerque, New Mexico

Refer to File No. SWKRE

14 February 1951

Subject: Fort Bliss AA Range No. 1, V. M., Civil Actions 834 and 1149, Oil and Gas Interests, State Owned Land

To: Maryland Casualty Company
710-12 El Paso Nat'l Bank Bldg.
El Paso, Texas

ATTENTION: Mr. Victor Robinson, Supervisor

Gentlemen:

Receipt is acknowledged of your letter dated 10 February 1951, concerning bond issued by your company to Mr. Al Parker, State Lessee on lands within the Fort Bliss Antiaircraft Range No. 1 acquired in fee by the Government.

It would appear to this District that since the bond was not made for the benefit of the United States, no action could legally be taken to accomplish the release thereof, and so a release should be obtained from the officials of the State of New Mexico. This District will interpose no objection to the release by the State.

FOR THE DISTRICT ENGINEER:

Sincerely yours,

H. K. SHADEL
Chief, Real Estate Division

OIL CONSERVATION COMMISSION
SANTA FE, NEW MEXICO

September 12, 1951

C
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Mr. Samuel Smith, Adjuster
MARYLAND CASUALTY COMPANY
710 El Paso National Bank Bldg.
El Paso, Texas

Dear Sir: RE: Al Parker, \$5,000.00 one-well bond; NW SE
15-23S-5E; Maryland Casualty Co.; approved 4518-44

In regard to your inquiry of August 16, 1951, concerning the oil well plugging bond for Mr. Al Parker of El Paso, we regret to inform you that our records do not show this well to have been plugged.

In view of this fact, the bond cannot be cancelled, and under New Mexico law and rules of this Commission, Mr. Parker's only alternative is to either plug the well, subject to the Commission's approval, or continue paying the bond premiums.

Very truly yours,

Jason Kellahin, Attorney

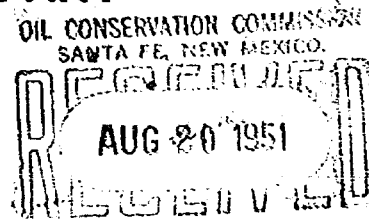
JK:mr

MARYLAND CASUALTY COMPANY

STEWART McDONALD, CHAIRMAN OF THE BOARD
WILLIAM T. HARPER, PRESIDENT

EL PASO CLAIM DIVISION

C. W. L. STEEN, JR., MANAGER
710-12 EL PASO NAT'L BANK BLDG., EL PASO, TEXAS



August 16, 1951

47-82
State of New Mexico
Al Parker

State of New Mexico
Department of Oil and Gas
Santa Fe, New Mexico

Dear Sir:

We are surety for an oil well bond for Mr. Al Parker, 1717 North Stanton Street, El Paso, Texas. At the time when the bond was executed, Mr. Parker's residence was 410 South Willow, Pecos, Texas.

The well which was drilled is located in the White Sands Proving Ground area and at the present time is on land owned by the United States Government. We are now interested in securing the necessary papers for effecting our release on this bond. This letter is written with the hope that some one in this department can send the necessary papers to our office so we may have Mr. Parker execute them. Mr. Parker has promised to execute the same.

We have a letter from Corps of Engineers, U. S. Army, Office of the District Engineer located at Albuquerque, New Mexico, stating that a release on this particular bond from the State of New Mexico will not be objected to.

Very truly yours,

No

Samuel Smith

Samuel Smith,
Adjuster

SS/gw
Dictated: 8-16-51

*NWSE 15-235-5E
Down Area
Bond Approved 4-18-44*

CORPS OF ENGINEERS, U. S. ARMY
OFFICE OF THE DISTRICT ENGINEER
ALBUQUERQUE DISTRICT
P. O. BOX 1538
ALBUQUERQUE, NEW MEXICO

SWKRE

REFER TO FILE NO. _____

14 February 1951

Subject: Fort Bliss AA Range No. 1, N. M., Civil Actions 834 and 1149, Oil
and Gas Interests, State Owned Land

To: Commissioner of Public Lands
State of New Mexico
Santa Fe, New Mexico

Graham
Dear Commissioner:

There is inclosed copy of letter received from the Maryland Casualty Company concerning a bond issued by them on the application of Mr. Al Parker in connection with the drilling of an oil well located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 23 South, Range 5 East of the New Mexico Principal Meridian, Dona Ana County, New Mexico. This area is in Civil Action 1149 by which the United States acquired fee title.

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RS
In view of request contained in the letter from the bonding company, it was considered advisable to communicate with you, with the information that this District will interpose no objection to the release of the bond by the State of New Mexico. This information is also being furnished the Maryland Casualty Company at El Paso, Texas.

FOR THE DISTRICT ENGINEER:

Sincerely yours,

H. K. Shadel
H. K. SHADEL
Chief, Real Estate Division

1 Incl
Cy ltr dtd 10 Feb 51

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MARYLAND CASUALTY COMPANY
Stewart McDonald, Chairman of the Board
William T. Harper, President

EL PASO CLAIM DIVISION

C. W. L. STEEN, Jr., Manager
710-12 El Paso Nat'l Bank Bldg., El Paso, Texas

February 10, 1951

47-82 Bond
State of New Mexico
Al Parker

Mr. Henry K. Shadel, Chief
Real Estate Division
Corps of Engineers
Department of the Army
P. O. Box 1538
Albuquerque, New Mexico

Dear Mr. Shadel:

Effective March 17, 1944 we issued bond No. 531604-G for the sum of \$5,000.00 to the State of New Mexico on the application of Mr. Al Parker in connection with the drilling of an oil well located in Northwest of Southeast quarter on section 15, township 23-D, range 5-ENM, Dona Ana County, New Mexico.

At some later date, the United States Government would not permit Mr. Parker to continue operations on this well and we believe the well was never plugged, but that a cement cover was placed over it. Mr. Parker has not since been permitted to resume operations and, as we have not been able to obtain release from our bond by the State of New Mexico who tell us that they now have no jurisdiction over this property, we have continued to charge Mr. Al Parker for the annual premiums on this bond. Mr. Parker refuses to pay these premiums because he is not permitted to continue operations on the well and we are bound to charge these premiums to him until we are able to obtain a release from the bond.

We recently wrote to Judge William B. Robinson, Special Assistant to the Attorney General, Lands Division, United States Department of Justice, Albuquerque, asking him to whom we should apply in order to obtain release from the United States Government. Judge Robinson recently informed us that the acquiring agency, which in this instance is the Department of the Army, might be able to advise us whether we can obtain such release and accordingly he has furnished us with your address. Will you be so good as to advise us on this matter?

We thank you in anticipation of your prompt advice.

Very truly yours,

/s/ Victor Robinson

Victor Robinson,
Supervisor

VR/gw
Dictated: 2-10-51