

Case No.

28

Application, Transcript,
Small Exhibits, Etc.

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. 28

ORDER NO. 395

THE PETITION OF THE SAMELAN OIL
CORPORATION FOR AN UNORTHODOX WELL
LOCATION FOR SAMELAN OIL CORPORATION-
TURNER-B, WELL NO. 2, SESE SECTION 34,
TOWNSHIP 18S, RANGE 38E, HOBBS FIELD,
WHICH SAID PROPOSED LOCATION IS 400
FEET NORTH OF SOUTH BOUNDARY LINE AND
1190 FEET WEST OF EAST BOUNDARY LINE OF
SE $\frac{1}{4}$ OF SAID SECTION.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at two o'clock P.M.,
August 25, 1941, at Santa Fe, New Mexico.

NOW, on the same said date, 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
application herein, the time and the place of the hearing thereon,
and the purpose of said hearing, have 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. Petitioner desires to make location as above set
forth, because the above described property is sub-divided
into town lots and there are buildings erected thereon, and
because of residences being erected on and adjacent thereto,
the location requested is the best location from a standpoint
of safety.

3. That the owners of the unit affected, Gordon Cone and Cities Service Oil Company, have consented to the drilling of the well in said proposed location.

4. That said location petitioned for appears to be a reasonable and practicable location which will not create waste.

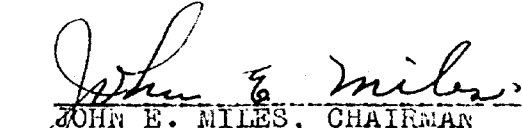
IT IS THEREFORE ORDERED:

1. That the petitioner is hereby allowed to fix the well location petitioned for as follows:

At a point 400 feet North of South boundary line and 1190 feet West of East boundary line of SE $\frac{1}{4}$ of Section 34, Township 18S, Range 38E, N.M.P.M.

subject to the usual administrative requirements with respect to bond and the usual filing in triplicate with the Commission Notice of Intention to Drill, on Form C-101, setting out the special location herein granted.

OIL CONSERVATION COMMISSION


JOHN E. MILES, CHAIRMAN


H. R. RODGERS, MEMBER


JOHN N. KELLY, SECRETARY.

CASE NO. 28

BEFORE THE OIL CONSERVATION COMMISSION OF
THE STATE OF NEW MEXICO

THE PETITION OF THE SAMEDAN OIL CORPORATION
FOR AN UNORTHODOX WELL LOCATION FOR SAMEDAN
OIL CORPORATION - TURNER-B, WELL NO. 2, SESE
SECTION 34, TOWNSHIP 18S, RANGE 38E, HOBBS
FIELD.

TRANSCRIPT OF PROCEEDINGS AT THE
HEARING IN THE HALL OF THE HOUSE
OF REPRESENTATIVES, SANTA FE, NEW
MEXICO

AUGUST 25th, 1941

Pursuant to order of the Commission, duly made and
entered, setting August 25, 1941, at two o'clock, P. M., for
hearing in the above entitled matter, said hearing was convened
at said day and hour in the hall of the House of Representatives,
Santa Fe, New Mexico, the Commission sitting as follows:

HONORABLE JOHN E. MILES, Governor of New Mexico, Chairman
HONORABLE JOHN M. KELLY, State Geologist, Secretary
HONORABLE CARL B. LIVINGSTON, Chief Clerk and Legal Advisor.

APPEARANCES:

J. O. Seth	Samedan Oil Corp.	Santa Fe, N.M.
J. P. Cusack	" " "	
B. A. Bowers		Artesia, N. M.
H. W. McCue		Artesia, N.M.
		Amarillo, Tex.
H. W. Hunsacker	N.M. Motor Carriers	Albuquerque, N.M.

The hearing was called to order by Governor Miles, who
requested Mr. Livingston to read the notice of hearing, as follows:

"NOTICE FOR PUBLICATION
STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

The Oil Conservation Commission, by law invested with
jurisdiction as the oil and gas regulatory body of the
State of New Mexico, hereby gives notice of the following
public hearing to be held at the Capitol, Santa Fe, New
Mexico:

Case No. 28

The petition of the Samedan Oil Corporation
for an unorthodox well location for Samedan Oil

Corporation - Turner-B, Well No. 2, SESE Section 34, Township 18S, Range 38E, Hobbs Field. Said proposed location is 400 feet North of South line and 1190 feet West of East line of SE $\frac{1}{4}$ of said section. This case is set for 2 o'clock P.M., August 25, 1941.

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

The foregoing Notice of Publication was made pursuant to the direction of the Commission at its Executive Meeting August 13, 1941.

Given under the seal of said Commission at Santa Fe, New Mexico, on August 13, 1941.

OIL CONSERVATION COMMISSION

(SEAL)

By (Sgd) John M. Kelly
Secretary"

BY MR. SETH: There was an informal application filed, later followed by a formal application. In the formal application there was an error in line 4,- the distance stated there of 460 feet north of the south line, should be 400 feet. We would like to amend the formal application to agree with the original petition.

J. P. CUSACK,

being first duly sworn to tell the truth, the whole truth, and nothing but the truth, was examined by Mr. Seth, and testified as follows:

DIRECT EXAMINATION

Q Your name is J. P. Cusack, and you represent the Samedan Oil Corporation?

A I do.

Q Mr. Cusack, this location, the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, T. 18 South, 38 East, is unorthodox in that it is 1190 feet west of the east line of the forty. Will you please state the condition as to buildings at the point in the center of the forty?

A Immediately to the east of this location are several buildings - dwellings --

Q This is in the town of Hobbs?

A This is in the town of Hobbs, subdivided into lots.

Q And the buildings are occupied as residences?

A The buildings are occupied as residences.

Q Which would make drilling somewhat dangerous as to destruction of property, and perhaps life?

A That is correct.

Q Coming to ownership, who owns the lease on the forty acre tract immediately west of this?

A The lease is owned jointly by the Samedan, Lloyd Noble and J. P. Cusack. The Samedan operates the property.

Q The lease on the $SE\frac{1}{4}SE\frac{1}{4}$, is that the same ownership?

A It is the same ownership, I guess. The west half is owned by the Sameday Oil Corporation, the Cities Service and Gordon M. Cone.

Q Lying immediately west of this forty?

A Yes, sir.

Q Who owns the lease on this forty involved here?

A The Samedan, J. P. Cusack and Lloyd Noble.

Q And the Samedan operates it?

A The Samedan operates it.

Q You said on the forty immediately west the Cities Service and Cone are the interested parties?

A They are interested as operators on that.

Q Have you got the consent of the owners of the $W\frac{1}{2}SE\frac{1}{4}$?

A I have.

Q I hand you Petitioners' Exhibit No. 2, and ask you if that is a wire from Cone who is interested with Cities Service in that tract?

A It is.

Q I hand you Exhibit No. 3; is that a consent on behalf of Cities Service?

A It is.

Q What is the connection of G. E. Goddard with Cities Service?

A So far as I know he is engineer in charge of this district.

Q That comes from the Cities Service?

A That comes from Cities Service, at Bartlesville, Oklahoma.

BY MR. SETH: We offer Petitioners' Exhibits 2 and 3 in evidence.

PETITIONERS' EXHIBIT No. 2

"WESTERN UNION

PWB07DA123 23 DL COLLECT - LUBBOCK TEX 15 AUG 15 AM 56

J. P. CUSACK

3427 COUNTRY CLUB CIRCLE FTW

WEST

YOUR PROPOSED WELL 130 FEET EAST OF EAST LINE EAST HALF

SOUTHEAST QUARTER SECTION 34 TOWNSHIP 18 RANGE 38 AGREEABLE

TO ME

GORDON M. CONE.

130 34 18 38"

PETITIONERS' EXHIBIT NO. 3

"WESTERN UNION

FWA52KMA276 TWS PAID 3/WUX SEMINOLE OKLA 22 330P

J. P. CUSACK

3427 COUNTRY CLUB CIRCLE FTW

CITIES SERVICE HAS NO OBJECTION LOCATION 400 FEET NORTH

OF SOUTH LINE 1190 FEET WEST OF EAST LINE OF SOUTHEAST

QUARTER SECTION 34-18-38 LEA COUNTY NEW MEXICO

G E GODDARD BARTLESVILLE OKLA.

400 1190 34-1-38 LEA"

Q Mr. Cusack, that accounts for all the owners of tracts lying to the west, except those actually interested in this application?

A It does.

Q Coming to the location of this well, again, I hand you Petitioners' Exhibit No. 1. Does that show the location, in the town of Hobbs, of the proposed location?

A It does.

Q There are no buildings shown to the west?

A There are no buildings shown to the west.

Q There are none within a short distance?

A No.

Q But the buildings you speak of lie over east of the proposed location?

A They do.

Q How far away from this location would you say they would be?

A They would be about 100 feet.

BY MR. SETH: We offer Exhibit No. 1 in evidence. It is the proposed location in the town of Hobbs.

Q Mr. Cusack, have you been in the oil business a good many years?

A I have.

Q How many?

A Thirty-four years.

Q Have you been familiar with the condition at Hobbs during a considerable time?

A I have, since the inception of Hobbs.

Q The Samedan and Mr. Noble are interested with you in production on this proposed location?

A We are.

Q In your judgment, would the location of this well that you request, would it result in waste? Would it cause any oil to remain in the ground and not be produced?

A It would not.

Q You think the location would result in all the oil that could be reasonably produced, being produced from that forty?

A I do.

BY MR. SETH: That is all.

BY MR. KELLY: Any of the members wish to question the witness.

BY MR. LIVINGSTON: I didn't get all of this clearly -- the ownership of the forty lying immediately west of the one on which you propose to drill belongs to Gordon Cone, Cities Service and the Samedan?

A That is correct so far as the operating is concerned.

Witness dismissed.

BY MR. KELLY: The Commission is agreeable to granting the unorthodox location in the Hobbs Pool, and the order will be so entered.

C E R T I F I C A T E

I certify that the foregoing and attached five pages of typewritten matter are a true, correct and complete transcript of the shorthand notes taken by me on the date of the hearing in the above entitled case on the 25th day of August, 1941, and by me extended into type-writing, together with copy of Petitioners' Exhibits Nos. 2 and 3.

Witness my hand this 27th day of August, 1941.

Lothar Barton

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

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

SYMBOLS
DL = Day Letter
NT = Overnight Telegram
LC = Deferred Cable
NLT = Cable Night Letter
Ship Radiogram

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.

FWB07DA123 23 DL COLLECT=LUBBOCK TEX 15 840 AUG 15 AM 8 56

J P CUSACK=

3427 COUNTRY CLUB CIRCLE FTW=

YOUR PROPOSED WELL 130 FEET ^{WEST} EAST OF EAST LINE EAST HALF
SOUTHEAST QUARTER SECTION 34 TOWNSHIP 18 RANGE 38 AGREEABLE
TO ME=

GORDON M CONE.

Relinquers Ex 2 W.C. Committee
EB

No. 91018	To Adm
R/B 1958a	To Bo W.C. Committee
115a	115a

130 34 18 38

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

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FWA52KMA276 TWS PAID 3#WUX SEMINOLE OKLA 22 330P

J P CUSACK=

3724 COUNTRY CLUB CIRCLE FTW=

CITIES SERVICE HAS NO OBJECTION LOCATION 400 FEET NORTH
OF SOUTH LINE 1190 FEET WEST OF EAST LINE OF SOUTHEAST
QUARTER SECTION 34-18-38 LEA COUNTY NEWMEXICO=

G E GODDARD BARTLESVILLE OKLA.

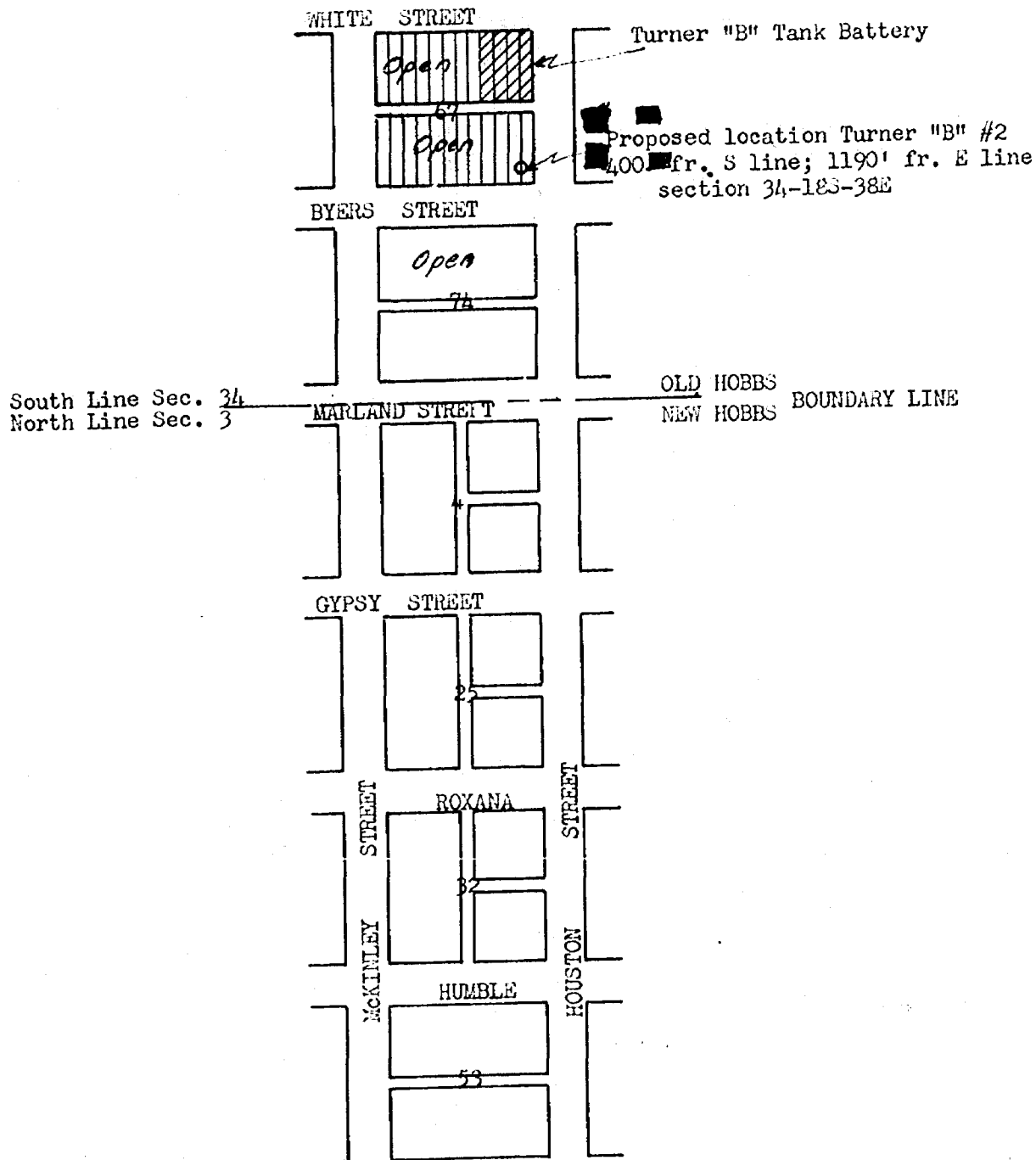
Relinquers Ex #3
EB

No. 91018	To Bo
R/B 1958a	To Bo W.C. Committee
115a	115a

400 1190 34-1-38 LEA.

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

Petitioners *Ex #1*
UB



Exhibits

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

The Oil Conservation Commission, by law invested with jurisdiction as the oil and gas regulatory body of the State of New Mexico, hereby gives notice of the following public hearing to be held at the Capitol, Santa Fe, New Mexico:

Case No. 28

The petition of the Samedan Oil Corporation for an unorthodox well location for Samedan Oil Corporation—Turner-B. Well No. 2, SESE Section 34, Township 18S, Range 38E, Hobbs Field. Said proposed location is 400 feet North of South line and 1190 feet West of East line of SE $\frac{1}{4}$ of said section. This case is set for 2 o'clock P.M., August 25, 1941.

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

The foregoing Notice of Publication was made pursuant to the direction of the Commission at its Executive Meeting August 13, 1941.

Given under the seal of said Commission at Santa Fe, New Mexico, on August 13, 1941.

**OIL CONSERVATION
COMMISSION.**

By (SGD) JOHN M. KELLY,
Secretary.

(SEAL)

Published August 14, 1941.

Affidavit of Publication

State of New Mexico, }
County of Santa Fe } ss.

I, C. B. Floyd, being first duly sworn, declare and say that I am the (Business Manager) (~~Editor~~) of the Santa Fe New Mexican, a daily newspaper, published in the English Language, and having a general circulation in the City and County of Santa Fe, State of New Mexico, and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 of the Session Laws of 1937; that the publication, a copy which is hereto attached, was published in said paper once each week for 1 consecutive weeks, and on the same day of each week in the regular issue of the paper during the time of publication, and that the notice was published in the newspaper proper, and not in any supplement, once each week for 14th weeks consecutively, the first publication being on the August day of 1941, and the last publication on the day of, 19 ; that payment for said advertisement has been (duly made), or (assessed as court costs); that the undersigned has personal knowledge of the matters and things set forth in this affidavit.

[Signature]

Manager.

Subscribed and sworn to before me, this 15th day of August, A. D., 194 1.

[Signature]

Notary Public.

My Commission expires

June 11, 1945

PUBLISHER'S BILL

39 lines, one time at \$ 3.12

lines, times, \$

Tax \$

Total - - - - \$ 3.12

Received payment,

By

AFFIDAVIT OF PUBLICATION

State of New Mexico,
County of Lea

I, Robert L. Summers
Publisher

Of the Hobbs Daily News-Sun, a
daily newspaper published at Hobbs,
New Mexico, do solemnly swear that
the clipping attached hereto was
published once a week in the regular
and entire issue of said paper, and
not in a supplement thereof for a
period of One

..... weeks.

beginning with the issue dated

August 14, 1941.

and ending with the issue dated

August 14, 1941.
Robert L. Summers
Publisher.

Sworn and subscribed to before me

this 15th day of

August, 1941.
John F. Quinn, Jr.
Notary Public.

My commission expires

(Seal)

This newspaper is duly qualified
to publish legal notices or ad-
vertisements within the mean-
ing of Section 3, Chapter 167,
Laws of 1937, and payment of
fees for said publication has
been made.

LEGAL NOTICE

(Run Aug. 14)
NOTICE FOR PUBLICATION
STATE OF NEW MEXICO
OIL CONSERVATION
COMMISSION
The Oil Conservation Commis-
sion, by law invested with jurisdic-
tion as the oil and gas regulatory
body of the State of New Mexico,
hereby gives notice of the follow-
ing public hearing to be held at
the Capitol, Santa Fe, New Mex-
ico:

Case No. 28
The petition of the Samedan Oil
Oil Corporation for an unorthodox
well location for Samedan Oil Cor-
poration, Turner-B, Well No. 2,
SESE, Section 34, Township 18S,
Range 3E, Hobbs Field. Said pro-
posed location is 400 feet North
of South line and 1190 feet West
of East line of SE4 of said sec-
tion. The case is set for 2 o'clock
P. M., August 25, 1941.
Any person having any interest
in the subject of said hearing shall

be entitled to be heard.
The foregoing notice was
published in the
Hobbs Daily News-Sun
on August 14, 1941.
By (SGD) John F. Quinn, Jr.
(SEAL)

NEW MEXICO OIL CONSERVATION COMMISSION
HOBBS, NEW MEXICO

August 13, 1941

C
O
P
Y

AIRMAIL
SPECIAL DELIVERY

The Santa Fe New Mexican
Santa Fe, New Mexico

Hobbs Daily News Sun
Hobbs, New Mexico

Re: Case #28, Notice for Publication

Gentlemen:

Please publish the enclosed notice once, immediately.
Please proof read the notice carefully and send a copy
of the paper carrying such notice.

Upon completion of the publication, please send
publisher's affidavit.

For payment, please submit statement in duplicate
accompanied by voucher executed in duplicate. The
necessary voucher blanks are enclosed.

Very truly yours,

Oil Conservation Commission

By

Carl B. Livingston
Chief Clerk & Legal Advisor

CEL:MS
cc Glenn Staley
Roy Yarbrough

NOTICE FOR PUBLICATION
STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

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The foregoing Notice of Publication was made pursuant to the direction of the Commission at its Executive Meeting August 13, 1941.

Given under the seal of said Commission at Santa Fe, New Mexico, on August 13, 1941.

OIL CONSERVATION COMMISSION

By (SGD) John M. Kelly
Secretary

(SEAL)

ARDMORE, OKLAHOMA

BOX 959

August 16, 1941.

RE: Turner B No.2.

New Mexico Oil Conservation Commission,
Santa Fe, New Mexico.

Gentlemen:-

ATTENTION: Mr. John M. Kelly, Secretary.

Enclosed find petition for permit to locate
Turner B Well No. 2, ~~400~~ feet north of south line and 1190
feet west of east line of the southeast quarter of Section
34, Township 18 south, Range 38 east, Hobbs Field, Lea
County, New Mexico.

Yours very truly,

SANEDAN OIL CORPORATION

By 

LWB:HF

TO THE NEW MEXICO OIL CONSERVATION COMMISSION

TO SAID HONORABLE COMMISSION

Now comes Samedan Oil Corporation of Ardmore, Oklahoma and makes this petition for permission from said Honorable Commission to permit it to locate Turner-B well No. 2, 400 feet North of South line and 1190 feet West of East line of the Southeast Quarter of Section 34, Township 18 South, Range 38 East, Hobbs Field, Lea County.

Petitioner desires to make location as above set forth, because the above described property is sub-divided into town lots and there are buildings erected thereon, and because of residences being erected on and adjacent thereto, the location requested is the best location from a standpoint of safety.

WHEREFORE your petitioner requests the Honorable Commission to consider this request and on its hearing it be granted a permit to make the location for an oil well as hereinabove set forth.

Witness my hand at Ardmore, Oklahoma this 10th day of August A. D. 1941.

SAMEDAN OIL CORPORATION

By 

PETITIONER

NEW MEXICO
OIL CONSERVATION COMMISSION
SANTA FE, NEW MEXICO



GOVERNOR JOHN E. MILES, Chairman
STATE LAND COMMISSIONER H. R. RODGERS, Member
STATE GEOLOGIST JOHN M. KELLY, Secretary

August 19, 1941

Honorable John M. Kelly
Oil Conservation Commission
Hobbs, New Mexico

Re: Case 28. Petition of Samedan Oil
Corporation for unorthodox well
location for Turner-B #2 in SESE
34-18S-38E.

Dear John:

Enclosed please find the Samedan's petition dated August 16th for an unorthodox well location within the unit designated above but at variance with their request of August 11th treated as their petition. The Samedan should withdraw their petition of August 16th, if that Concern is seeking a hearing on August 25th on the petition of August 11th.

The advertisement proceeded exactly as requested in their petition of August 11th. The publication was completed within the time required by law.

For your information enclosed is photostatic copy of the petition of August 11th accompanied by photostat of Notice of Intention to Drill.

With best good wishes. I am

Very truly yours,

Carl B. Livingston
Carl B. Livingston

CBL:MS

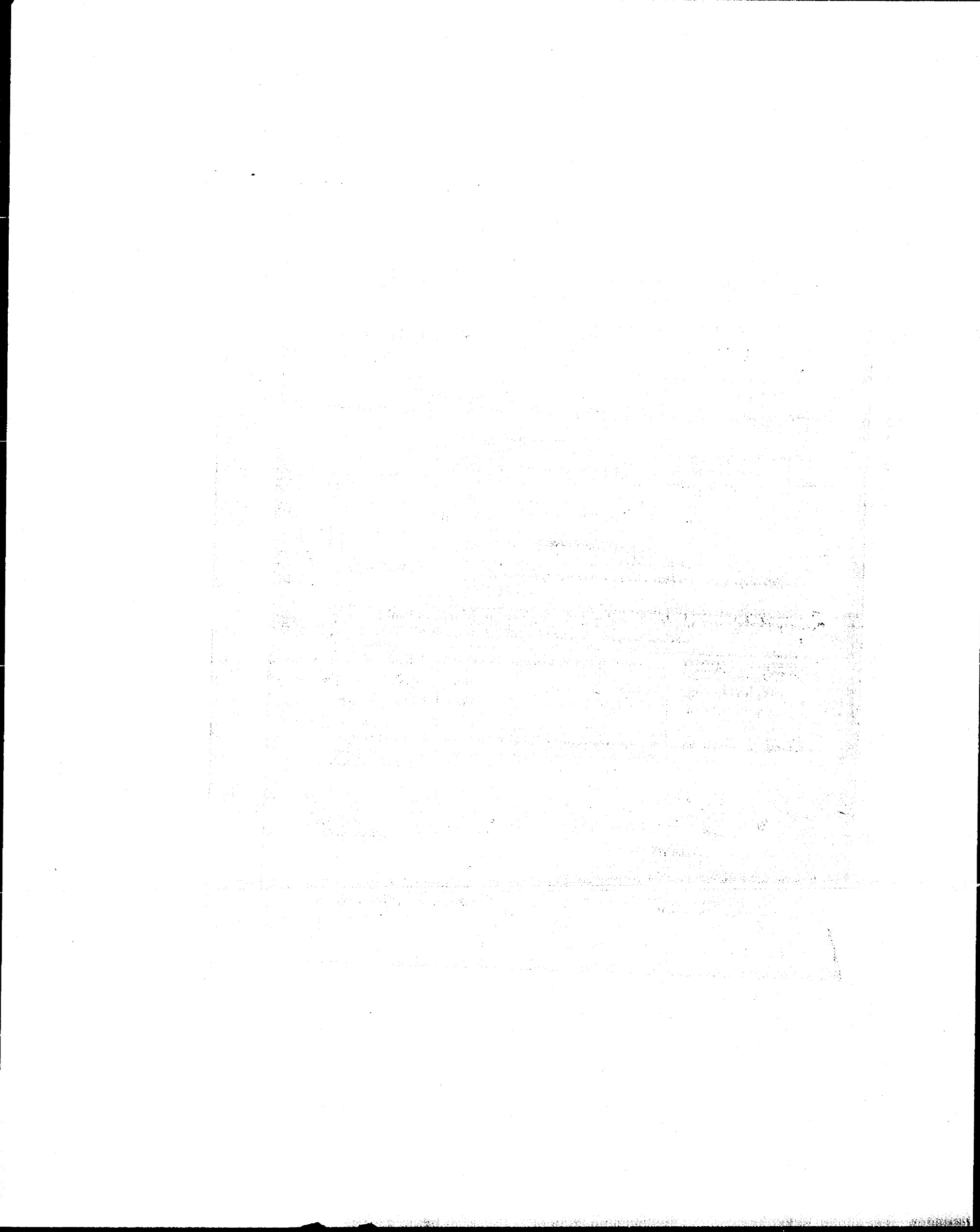
1127 1/2 N. 10th St.
Anchorage, Alaska

I am enclosing a check for intention to drill, such
location being an oil-bearing location and we ask that same
be advertised in accordance with special request.

Yours very truly,

SAMEDAN OIL CORP.

W. J. Samedan



Hobbs, N.M.
August 11, 1941

New Mexico Oil Conservation Commission
Attn. Mr. John Kelly, Sec.
Hobbs, N.M.

Dear Sir:

I am Enclosing herewith Notice of Intention to Drill, such location being an unorthodox location and we ask that same be advertised in accordance with special request.

Yours very truly,

SAMEDAN OIL CORP.

JPG:M

A handwritten signature in cursive script, appearing to read "J. W. Riddick", is written over a horizontal line.

Case # 29 CASE 29 PETITION OF BASSETT & BIRNEY FOR
Call UNORTHODOX LOCATION.

action

in New York NE SE 1/4 11-188-29E 50 ft. E of W line + 330 ft